



Service of Process Transmittal Summary

TO: Greg Moundas, Executive V.P. General Counsel
AIMBRIDGE HOSPITALITY LLC
5301 HEADQUARTERS DR
PLANO, TX 75024-6187

RE: Process Served in California

FOR: INTERSTATE-RIM MANAGEMENT COMPANY, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: DAVID YUREVICH JR., individually and on behalf of all others similarly situated // To: INTERSTATE-RIM MANAGEMENT COMPANY, LLC

CASE #: 22STCV07221

NATURE OF ACTION: Employee Litigation

PROCESS SERVED ON: C T Corporation System, GLENDALE, CA

DATE/METHOD OF SERVICE: By Process Server on 04/29/2022 at 01:32

JURISDICTION SERVED: California

ACTION ITEMS: CT will retain the current log
Image SOP
Email Notification, KAREN KOVACH karen.kovach@aimhosp.com
Email Notification, Laura Vesely laura.vesely@aimhosp.com
Email Notification, Nicole Graves nicole.graves@aimhosp.com
Email Notification, Matt Dreyfuss matthew.dreyfuss@aimhosp.com

REGISTERED AGENT CONTACT: C T Corporation System
330 N BRAND BLVD
STE 700
GLENDALE, CA 91203
866-665-5799
SouthTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



PROCESS SERVER DELIVERY DETAILS

Date: Fri, Apr 29, 2022
Server Name: Douglas Forrest

Entity Served	INTERSTATE-RIM MANAGEMENT COMPANY, LLC
Case Number	22stcv07221
Jurisdiction	CA

Inserts		



SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO): Interstate-Rim Management Company, a Delaware Limited Liability Company operating at: Double Tree San Pedro; Interstate Hotels & Resorts, Inc.; Aimbridge Hospitality, LLC, a Delaware Liability Company; and DOES 1-50, inclusive,

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

DAVID YUREVICH JR., individually and on behalf of all others similarly situated

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Los Angeles Superior Court
111 North Hill St.
Los Angeles, CA 90012

CASE NUMBER: (Número del Caso):
22STCV07221

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

JAMES HAWKINS APLC, 9880 Research Drive, Suite 200 Irvine CA 92618; (949)387-7200

DATE:

(Fecha) 04/19/2022

Sherri R. Carter Executive Officer / Clerk of Court (Secretario)

Clerk, by

E. Thomas, Deputy (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):
- ☒ on behalf of (specify): *Interstate-Rim Management Company*
operating at
Double Tree San Pedro
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☒ other (specify): *LLC*
- ☒ by personal delivery on (date)

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Kenneth Freeman
Electronically FILED by Superior Court of California, County of Los Angeles on 02/28/2022 07:35 PM Sherri R. Carter, Executive Officer/Clerk of Court, by J. Covarrubias, Deputy Clerk

JAMES HAWKINS APLC
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Attorneys for Plaintiff DAVID YUREVICH JR.,
Individually and on behalf of all others similarly situated.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

DAVID YUREVICH JR., individually and on
behalf of all others similarly situated,

Plaintiff,

v.

INTERSTATE-RIM MANAGEMENT
COMPANY, LLC, a Delaware Limited
Liability Company operating at:
DOUBLETREE SAN PEDRO; INTERSTATE
HOTELS & RESORTS, INC.; AIMBRIDGE
HOSPITALITY, LLC, a Delaware Limited
Liability Company; and DOES 1-50, inclusive,

Defendants.

CASE NO.: 22STCV07221

**CLASS ACTION COMPLAINT
PURSUANT TO CALIFORNIA CODE OF
CIVIL PROCEDURE §382:**

1. Failure to Pay Wages Including Overtime as Required by Labor Code §§ 510 and 1194
2. Failure to Pay Timely Wages Required by Labor Code § 203
3. Failure to Provide Accurate Itemized Wage Statements as Required by Labor Code § 226
4. Failure to Accurately Record and Pay Sick Leave as Required by Labor Code § 246
5. Failure to Indemnify Necessary Business Expenses as Required by Labor Code § 2802
6. Violation of Business & Professions Code § 17200, et seq.

DEMAND FOR JURY TRIAL

1 Plaintiff DAVID YUREVICH JR. ("Plaintiff"), individually and on behalf of all others
 2 similarly situated (hereinafter collectively referred to as the "Class" or "Class Member"), hereby
 3 files this Complaint against Defendants INTERSTATE – RIM MANAGEMENT COMPANY,
 4 LLC, a Delaware Limited Liability company operating at: DOUBLETREE SAN PEDRO;
 5 INTERSTATE HOTELS & RESORTS, INC.; AIMBRIDGE HOSPITALITY, LLC, a Delaware
 6 Limited Liability Company; and DOES 1-50, inclusive (collectively "Defendants") and alleges on
 7 information and belief as follows:

8 **I. JURISDICTION AND VENUE**

9 1. This class action is brought pursuant to California Code of Civil Procedure §382.
 10 The monetary damages and restitution sought by Plaintiff exceed the minimum jurisdiction limits
 11 of the California Superior Court and will be established according to proof at trial.

12 2. This Court has jurisdiction over this action pursuant to the California Constitution
 13 Article VI §10, which grants the California Superior Court original jurisdiction in all causes
 14 except those given by statute to other courts. The statutes under which this action is brought do not
 15 give jurisdiction to any other court.

16 3. This Court has jurisdiction over Defendants because, upon information and belief,
 17 each Defendant either has sufficient minimum contacts in California, or otherwise intentionally
 18 avails itself of the California market so as to render the exercise of jurisdiction over it by the
 19 California Courts consistent with traditional notions of fair play and substantial justice.

20 4. The California Superior Court also has jurisdiction in this matter because the
 21 individual claims of the members of the Classes herein are under the seventy-five thousand dollar
 22 (\$75,000.00) jurisdictional threshold for Federal Court and the aggregate claim, including attorneys'
 23 fees, is under the five million dollar (\$5,000,000.00) threshold of the Class Action Fairness Act of
 24 2005. Further, there is no federal question at issue, as the issues herein are based solely on California
 25 statutes and law, including the Labor Code, IWC Wage Orders, CCP, California Civil Code ("CC")
 26 and B&PC.

27 5. Venue is proper in this Court because upon information and belief, one or more of
 28 the Defendants, reside, transact business, or have offices in this County and/or the acts or

omissions alleged herein took place in this County.

II. PARTIES

6. Plaintiff DAVID YUREVICH JR. was, at all times relevant to this action, a resident of California. Plaintiff was employed by Defendants in approximately February 2016 as a Non-Exempt Employee with the title of Concierge and then Front Desk and worked during the liability period for Defendants until Plaintiff's separation from Defendants' employ in approximately June 2021. Plaintiff's duties included but were not limited to: providing customer service and assistance to guests, checking guests in, offering suggestions for food, administrative paperwork, cleaning rooms, and filling in where needed.

7. Defendants INTERSTATE – RIM MANAGEMENT COMPANY, LLC, a Delaware Limited Liability company operating at: DOUBLETREE SAN PEDRO, INTERSTATE HOTELS & RESORTS, INC.; and AIMBRIDGE HOSPITALITY, LLC, a Delaware Limited Liability company, operates as a hotel and hospitality business. Plaintiff estimates there are in excess of 100 Non-Exempt Employees who work or have worked for Defendants over the last year.

8. Other than identified herein, Plaintiff is unaware of the true names, capacities, relationships, and extent of participation in the conduct alleged herein, of the Defendants sued as DOES 1 through 50, but is informed and believes and thereon alleges that said defendants are legally responsible for the wrongful conduct alleged herein and therefore sues these defendants by such fictitious names. Plaintiff will amend this complaint when their true names and capacities are ascertained.

9. Plaintiff is informed and believes and thereon alleges that each defendant, directly or indirectly, or through agents or other persons, employed Plaintiff and other members of the Class, and exercised control over their wages, hours, and working conditions. Plaintiff is informed and believes and thereon alleges that each Defendant acted in all respects pertinent to this action as the agent of the other Defendants, carried out a joint scheme, business plan or policy in all respects pertinent hereto, and the acts of each Defendant are legally attributable to the other defendants.

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III. CLASS ACTION ALLEGATION

10. Plaintiff brings this action individually and on behalf of all others similarly situated as a class action pursuant to Code of Civil Procedure § 382. The members of the Class are defined as follows:

All persons who have been employed by Defendants as Non-Exempt Employees or equivalent positions, however titled, in the state of California within four (4) years from the filing of the Complaint in this action until its resolution. (collectively referred to as the "Class" or "Plaintiff's Class" or "Class Members").

11. Plaintiff also seeks to represent the subclass(es) composed of and defined as follows:

Sub-Class 1: All Class Members who are or were employed by Defendants at any time between February 2021 and the present and who received wage statements from Defendant (hereinafter collectively referred to as the "Wage Statement Subclass").

Sub-Class 2: All Class Members who have been employed by Defendants at any time between February 2019 and the present and have separated their employment (hereinafter collectively referred to as the "Waiting Time Penalty Subclass").

Sub-Class 3: All Class Members who are or were employed by Defendants and incurred business expenses as a result of the discharge of their duties (hereinafter collectively referred to as the "Reimbursement Subclass").

Sub-Class 4: All Class Members who are or were employed by Defendants and subject to Defendant's Unfair Business Practices (hereinafter collectively referred to as the "Unfair Business Practice Subclass").

12. Plaintiff reserves the right under California Rule of Court 3.765(b) and other applicable laws to amend or modify the class definition with respect to issues or in any other ways. Plaintiff is a member of the Class as well as each of the Sub-Classes.

13. The term "Class" includes Plaintiff and all members of the Class and each of the Sub-Classes, if applicable. Plaintiff seeks class-wide recovery based on the allegations set forth in this complaint.

14. There is a well-defined community of interest in the litigation and the proposed Class is easily ascertainable through the records Defendants are required to keep.

15. Numerosity. The members of the Class are so numerous that individual joinder of all of them as Plaintiff is impracticable. While the exact number of the Class members is unknown

1 to Plaintiff at this time, Plaintiff is informed and believes and thereon alleges that there are at least
2 100 (one hundred) Class members.

3 16. Commonality. Common questions of law and fact exist as to all Class members
4 and predominate over any questions that affect only individual members of the Class. These
5 common questions include, but are not limited to:

6 i. Whether Defendants failed to pay minimum wage compensation to Plaintiff
7 and Class Members for all hours worked;

8 ii. Whether Defendants failed to accurately pay overtime to Plaintiff and Class
9 Members;

10 iii. Whether Defendants failed to reimburse necessary business expense
11 pursuant to Labor Code § 2802;

12 iv. Whether Defendants provided accurate itemized wage statements pursuant
13 to Labor Code section 226;

14 v. Whether Defendants failed to pay sick time using the proper regular rate pursuant
15 to Labor Code section 246;

16 vi. Whether Defendants violated Business and Professions Code and Labor
17 Code §§ 201-203, 246, 510, 512, 558, 226, 226.3, 226.7, 246, 1174, 1174.5, 1175, 1194, 1197,
18 1197.1, 1198, 2802 and applicable IWC Wage Orders which violation constitutes a violation of
19 fundamental public policy; and

20 vii. Whether Plaintiff and the Members of the Plaintiff Class are entitled to
21 equitable relief pursuant to Business and Professions Code §§ 17200, *et. seq.*

22 viii. Whether Plaintiff and the Members of the Plaintiff Class are entitled to
23 relief in the form of back wages, penalties and interest for failure to pay minimum wages pursuant
24 to Labor Code §§ 558, 1194 and 1197.

25 17. Typicality. Plaintiff's claims herein alleged are typical of those claims which could
26 be alleged by any member of the Class and/or Subclass, and the relief sought is typical of the relief
27 which would be sought by each member of the Class and/or Subclass in separate actions. Plaintiff
28 and all members of the Class and or Subclass sustained injuries and damages arising out of and

1 caused by Defendants' common course of conduct in violation of California laws, regulations, and
2 statutes as alleged herein.

3 18. Adequacy. Plaintiff is qualified to, and will fairly and adequately protect the
4 interests of each member of the Class and/or Subclass with whom she has a well defined
5 community of interest and typicality of claims, as demonstrated herein. Plaintiff acknowledges an
6 obligation to make known to the Court any relationships, conflicts, or differences with any
7 member of the Class and/or Subclass. Plaintiff's attorneys and the proposed Counsel for the Class
8 and Subclass are versed in the rules governing class action discovery, certification, litigation, and
9 settlement and experienced in handling such matters. Other former and current employees of
10 Defendants may also serve as representatives of the Class and Subclass if needed.

11 19. Superiority. A class action is superior to other available means for the fair and
12 efficient adjudication of the claims of the Class and would be beneficial for the parties and the
13 court. Class action treatment will allow a large number of similarly situated persons to prosecute
14 their common claims in a single forum, simultaneously, efficiently, and without the unnecessary
15 duplication of effort and expense that numerous individual actions would require. The damages
16 suffered by each Class member are relatively small in the sense pertinent to class action analysis,
17 and the expense and burden of individual litigation would make it extremely difficult or
18 impossible for the individual Class Members to seek and obtain individual relief. A class action
19 will serve an important public interest by permitting such individuals to effectively pursue
20 recovery of the sums owed to them. Further, class litigation prevents the potential for inconsistent
21 or contradictory judgments raised by individual litigation.

22 20. Public Policy Considerations: Employers in the state of California violate
23 employment and labor laws every day. Current employees are often afraid to assert their rights out
24 of fear of direct or indirect retaliation. Former employees are fearful of bringing actions because
25 they believe their former employers may damage their future endeavors through negative
26 references and/or other means. The nature of this action allows for the protection of current and
27 former employees' rights without fear or retaliation or damage.

1
2 **IV. FACTUAL ALLEGATIONS**

3 21. At all times set forth herein, Defendants employed Plaintiff and other persons in the
4 capacity of non-exempt positions, however titled, throughout the state of California.

5 22. Plaintiff is informed and believes Class Members have at all times pertinent hereto
6 been Non-Exempt within the meaning of the California Labor Code and the implementing rules
7 and regulations of the IWC California Wage Orders.

8 23. Defendants continue to employ Non-Exempt Employees, however titled, in
9 California and implement a uniform set of policies and practices to all non-exempt employees, as
10 they were all engaged in the generic job duties related to Defendants' hotel business.

11 24. Plaintiff is informed and believes, and thereon alleges, that Defendants are and
12 were advised by skilled lawyers and other professionals, employees, and advisors with knowledge
13 of the requirements of California's wage and employment laws.

14 25. Plaintiff is informed and believes that during the relevant time frame, all Class
15 Members are citizens of the state of California.

16 26. On information and belief, during the relevant time frame, Plaintiff and Class
17 Members frequently worked well over eight (8) hours in a day and forty (40) hours in a work
18 week.

19 27. During the relevant time frame, Defendants compensated Plaintiff and Class
20 Members based upon an hourly rate.

21 28. In addition, the Class Members frequently worked in excess of eight (8) hours a
22 day and/or over forty (40) hours in a workweek, but were not properly paid for such time at the
23 employee's correct rate of pay per hour for overtime.

24 29. Defendants also failed to properly calculate Plaintiff's and the Class Members'
25 regular rate of pay including but not limited to by failing to include all forms of
26 compensation/remuneration in the regular rate including but not limited to bonuses, incentives,
27 commissions, training and orientation pay, shift differential pay, and other compensation for
28 overtime calculation purposes.

1 30. In addition, upon information and belief, Plaintiff alleges that Defendants failed to
2 pay sick leave pay to Plaintiff and the Class Members at the proper rate, as Defendants failed to
3 factor all forms of compensation into the regular rate.

4 31. Plaintiff are informed and believe, and thereon alleges, that Defendants know,
5 should know, knew, and/or should have known that Plaintiff and the other Class Members were
6 entitled to receive premium wages based on their regular rate of pay under Labor Code §226.7 but
7 were not receiving such compensation.

8 32. On information and belief, Defendants also required Plaintiff and Class Members
9 to work off-the-clock. For instance, Plaintiff, and on information and belief Class Members, were
10 required to use their personal cell phone to communicate with the manager and general manager
11 via text message to discuss scheduling and other work-related issues. Defendants failed to include
12 off-the-clock work performed after Plaintiff and Class Members clocked out for the day. During
13 the relevant time frame, Plaintiff and Class Members were required to close the gate after clocking
14 out on a daily basis. Lastly, Defendants failed to include off-the-clock work performed by Plaintiff
15 and Class Members for the time spent cleaning the fingerprint scanner so they could accurately
16 clock-in. Often times, the fingerprint scanner used to clock-in would be dirty and fail to function
17 properly. Over time this resulted in an underpayment of minimum and overtime wages.

18 33. Defendants also failed to reimburse Plaintiff and Class Members for business
19 expenses incurred pursuant to Labor Code section 2802. For instance, Defendants did not
20 reimburse Plaintiff and Class Members for use of personal cellphones to carry out their work-
21 related duties while under the direction and control of Defendants. Plaintiff and on information
22 and belief Class Members, were required to use their personal cell phones to communicate with
23 Defendants' management. Plaintiff was forced to exchange text messages with the manager and/or
24 general manager regarding scheduling and other work related issues for approximately five to ten
25 minutes, approximately three (3) times per week. During work hours, every other day (daily
26 during COVID-19), Plaintiff would text message with his managers from approximately 5:00 p.m.
27 to 11:00 p.m. when he was left alone at the front desk. Although the front desk had a phone,
28 managers would choose to send text messages to Plaintiff's personal cell phone. Lastly, on a daily

1 basis, Plaintiff and on information and belief Class Members, would take pictures on their
2 personal cell phones of guests' rooms to assess damage or items left in the room. Defendants
3 failed to reimburse Plaintiff and Class Members for personal cell phone use.

4 34. Defendants failed to reimburse Plaintiff and Class Members for necessary business
5 expenses as it relates to the maintenance and upkeep of Defendants' uniforms pursuant to Labor
6 Code § 2802. Defendants required Plaintiff and Class Members to wear a suit as their work
7 uniform. Plaintiff was forced to purchase his suits, costing him at least \$300. Additionally,
8 Plaintiff and Class Members were responsible for the maintenance of their uniforms and were
9 required to keep them clean and in professional condition. As a result, Plaintiff and Class
10 Members would spend time regularly laundering and caring for their uniforms. However, despite
11 these realities, Defendants failed to reimburse Plaintiff and Class Members for expenses resulting
12 from maintaining their uniforms. Defendants promised Plaintiff that they would reimburse him for
13 costs relating to purchasing suits, but Defendants failed to do so. Further, Plaintiff and Class
14 Members were forced to purchase their own COVID-19 protective gear, such as masks.
15 Defendants failed to reimburse Plaintiff and Class Members for these necessary business
16 expenditures.

17 35. Defendants also failed to provide accurate, lawful itemized wage statements to
18 Plaintiff and the Class Members in part because of the above specified violations. In addition,
19 upon information and belief, Defendants omitted an accurate itemization of total hours worked,
20 including premiums due, overtime pay, gross pay and net pay figures from Plaintiff and the Class
21 Members' wage statements.

22 36. Plaintiff is informed and believes, and thereon alleges, that at all times herein
23 mentioned, Defendants knew that at the time of termination of employment (or within 72 hours
24 thereof for resignations without prior notice as the case may be) they had a duty to accurately
25 compensate Plaintiff and Class Members for all wages owed including minimum wages, meal and
26 rest period premiums, and that Defendants had the financial ability to pay such compensation, but
27 willfully, knowingly, recklessly, and/or intentionally failed to do so in part because of the above-
28 specified violations.

37. Upon information and belief, Defendants knew and or should have known that it is improper to implement policies and commit unlawful acts such as:

- (a) failing to pay overtime and minimum wages;
- (b) failing to provide accurate itemized wage statements;
- (c) failure to accurately pay sick pay;
- (d) failing to timely pay Plaintiff and Class Members ;
- (e) failure to reimburse business expenses; and
- (f) conducting and engaging in unfair business practices.

38. In addition to the violations above, and on information and belief, Defendants knew they had a duty to compensate Plaintiff and Class Members for the allegations asserted herein, and that Defendants had the financial ability to pay such compensation, but willfully, knowingly, recklessly, and/or intentionally failed to do so.

39. Plaintiff and Class Members they seek to represent are covered by, and Defendants are required to comply with, applicable California Labor Codes, Industrial Welfare Commission Occupational Wage Orders (hereinafter “IWC Wage Orders”) and corresponding applicable provisions of California Code of Regulations, Title 8, section 11000 *et seq.*

FIRST CAUSE OF ACTION

FAILURE TO PAY WAGES INCLUDING OVERTIME

(Against All Defendants)

40. Plaintiff incorporates and re-alleges each and every allegation contained above as though fully set forth herein.

41. At all times relevant, the IWC wage orders applicable to Plaintiff's and the Class require employers to pay its employees for each hour worked at least minimum wage. "Hours worked" means the time during which an employee is subject to the control of an employer, and includes all the time the employee is suffered or permitted to work, whether or not required to do so, and in the case of an employee who is required to reside on the employment premises, that time spent carrying out assigned duties shall be counted as hours worked.

42. At all relevant times, Labor Code §1197 provides that the minimum wage for

1 employees fixed by the IWC is the minimum wage to be paid to employees, and the payment of a
2 lesser wage than the established minimum is unlawful. Further, pursuant to the IWC Wage Order
3 and Labor Code, Plaintiff and Class Members are to be paid minimum wage for each hour
4 worked, and cannot be averaged. At all times relevant, the IWC wage orders applicable to Plaintiff
5 and Class Members' employment by Defendants provided that employees working for more than
6 eight (8) hours in a day or forty (40) hours in a work week are entitled to overtime compensation
7 at the rate of one and one-half times the regular rate of pay for all hours worked in excess of eight
8 (8) hours in a day or forty (40) hours in a work week. An employee who works more than twelve
9 (12) hours in a day is entitled to overtime compensation at a rate of twice the regular rate of pay.

10 43. At all relevant times, Labor Code §1197.1 states "[a]ny employer or other persons
11 acting individually as an officer, agent, or employee of another person, who pays or causes to be
12 paid to any employee a wage less than the minimum fixed by an applicable state or local law, or
13 by an order of the commission shall be subject to a civil penalty, restitution of wages, liquidated
14 damages payable to the employee, and any applicable penalties pursuant to Section 203.

15 44. Labor Code §510 codifies the right to overtime compensation at the rate of one and
16 one-half times the regular rate of pay for all hours worked in excess of eight (8) hours in a day or
17 forty (40) hours in a work week and to overtime compensation at twice the regular rate of pay for
18 hours worked in excess of twelve (12) hours in a day or in excess of eight (8) hours in a day on the
19 seventh day of work in a particular work week.

20 45. At all times relevant, Plaintiff and Class Members regularly performed non-exempt
21 work and thus were subject to the overtime requirements of the IWC Wage Orders, CCR § 11000,
22 et. seq. and the Labor Code.

23 46. At all times relevant, Plaintiff and Class Members consistently worked in excess of
24 eight (8) hours in a day and/or forty (40) hours in a week and Defendant's failed to accurately
25 calculate overtime pay to Plaintiff and Class Members.

26 47. At all times relevant, Plaintiff and Class Members consistently worked off-the-
27 clock, for duties performed while clocked-out, resulting in an inaccurate payment of minimum and
28 overtime wages to Plaintiff and Class Members.

1 48. Defendants further failed to incorporate bonuses, shift differentials, and other
2 remunerations into the employees' regular rates of pay for purposes of calculating overtime.

3 49. At all times relevant, Defendants have failed to accurately pay minimum and
4 overtime owed to Plaintiff and Class Members.

5 50. Accordingly, Defendants owe Plaintiff and Class Members minimum and overtime
6 wages, and have failed to pay Plaintiff and Class Members their wages owed.

7 51. Pursuant to Labor Code §§ 510, 558 and 1194, Plaintiff and Class Members are
8 entitled to recover their unpaid wages and overtime compensation, as well as interest, costs, and
9 attorneys' fees.

10 **SECOND CAUSE OF ACTION**

11 **FAILURE TO PAY TIMELY PAY WAGES**

12 **(Against All Defendants)**

13 52. Plaintiff incorporates and re-alleges each and every allegation contained above as
14 though fully set forth herein.

15 53. Labor Code §§201-202 requires an employer who discharges an employee to pay
16 compensation due and owing to said employee immediately upon discharge and that if an
17 employee voluntarily leaves his or her employment, his or her wages shall become due and
18 payable not later than seventy-two (72) hours thereafter, unless the employee has given seventy-
19 two (72) hours previous notice of his or her intention to quit, in which case the employee is
20 entitled to his or her wages on their last day of work.

21 54. Labor Code §203 provides that if an employer willfully fails to pay compensation
22 promptly upon discharge, as required by Labor Code §§201-202, the employer is liable for waiting
23 time penalties in the form of continued compensation for up to thirty (30) work days.

24 55. During the relevant time period, Defendants willfully failed and refused, and
25 continue to willfully fail and refuse, to pay Plaintiff and Class Members their wages, earned and
26 unpaid, either at the time of discharge, or within seventy-two (72) hours of their voluntarily
27 leaving Defendants' employ. These wages include regular and overtime.

28 56. As a result, Defendants are liable to Plaintiff and members of the Non-Exempt

1 Production Employee class for waiting time penalties pursuant to Labor Code §203, in an amount
2 according to proof at the time of trial.

3 **THIRD CAUSE OF ACTION**

4 **FAILURE TO PROVIDE ACCURATE ITEMIZED WAGE STATEMENTS**

5 **(Against All Defendants)**

6 57. Plaintiff incorporates and re-alleges each and every allegation contained above as
7 though fully set forth herein.

8 58. Section 226(a) states that An employer, semimonthly or at the time of each
9 payment of wages, shall furnish to his or her employee, either as a detachable part of the check,
10 draft, or voucher paying the employee's wages, or separately if wages are paid by personal check
11 or cash, an accurate itemized statement in writing showing (1) gross wages earned, (2) total hours
12 worked by the employee, except as provided in subdivision (j), (3) the number of piece-rate units
13 earned and any applicable piece rate if the employee is paid on a piece-rate basis, (4) all
14 deductions, provided that all deductions made on written orders of the employee may be
15 aggregated and shown as one item, (5) net wages earned, (6) the inclusive dates of the period for
16 which the employee is paid, (7) the name of the employee and only the last four digits of his or her
17 social security number or an employee identification number other than a social security number,
18 (8) the name and address of the legal entity that is the employer.

19 59. Section 226(a) of the California Labor Code requires Defendants to itemize in wage
20 statements all deductions from payment of wages and to accurately report total hours worked by
21 Plaintiff and the Class including applicable hourly rates among other things. Defendants have
22 knowingly and intentionally failed to comply with Labor Code section 226 and 204 on wage
23 statements that have been provided to Plaintiff and the Class.

24 60. IWC Wage Orders require Defendants to maintain time records showing, among
25 others, when the employee begins and ends each work period, meal periods, split shift intervals
26 and total daily hours worked in an itemized wage statement, and must show all deductions and
27 reimbursements from payment of wages, and accurately report total hours worked by Plaintiff and
28 the Class. On information and belief, Defendants have failed to record all or some of the items

1 delineated in Industrial Wage Orders and Labor Code §226.

2 61. Defendants have failed to accurately record all time worked.

3 62. Defendants have also failed to accurately record the meal and rest period premiums
4 owed and all wages owed per pay period.

5 63. Plaintiff and the Class have been injured as they were unable to determine whether
6 they had been paid correctly for all hours worked per pay period among other things.

7 64. Pursuant to Labor Code section 226, Plaintiff and the Class are entitled up to a
8 maximum of \$4,000 each for record keeping violations.

9 65. Pursuant to Labor Code section 226.3, any employer who violates subdivision (a)
10 of Section 226 shall be subject to a civil penalty in the amount of two hundred fifty dollars (\$250)
11 per employee per violation in an initial citation and one thousand dollars (\$1,000) per employee
12 for each violation in a subsequent citation, for which the employer fails to provide the employee a
13 wage deduction statement or fails to keep the records required in subdivision (a) of Section 226.

14 **FOURTH CAUSE OF ACTION**

15 **FAILURE TO ACCURATELY RECORD AND PAY SICK LEAVE**

16 **(Against All Defendants)**

17 66. Plaintiff incorporates and re-alleges each and every allegation contained above as
18 though fully set forth herein.

19 67. Labor Code Section 246(i) provides that: "an employer shall provide an employee
20 with written notice that sets forth the amount of paid sick leave available, or paid time off leave an
21 employer provides in lieu of sick leave, for use on either the employee's itemized wage statement
22 described in Section 226 or in a separate writing provided on the designated pay date with the
23 employee's payment of wages. If an employer provides unlimited paid sick leave or unlimited
24 paid time off to an employee, the employer may satisfy this section by indicating on the notice or
25 the employee's itemized wage statement 'unlimited.' The penalties described in this article for a
26 violation of this subdivision shall be in lieu of the penalties for a violation of Section 226."

27 68. Labor Code § 246 provides that the employer shall calculate paid sick leave by
28 using one of two calculations: (1) "Paid sick time for nonexempt employees shall be calculated in

1 the same manner as the regular rate of pay for the workweek in which the employee uses paid sick
2 time, whether or not the employee actually works overtime in that workweek;" or (2) "Paid sick
3 time for nonexempt employees shall be calculated by dividing the employee's total wages, not
4 including overtime premium pay, by the employee's total hours worked in the full pay periods of
5 the prior 90 days of employment."

6 69. Whenever Defendants paid Plaintiff and Class Members sick time pursuant to
7 California Labor Code § 246, Defendant did so at the incorrect rate of pay. Defendants paid
8 Plaintiff and the Class Members at the incorrect rate of pay and/or base hourly rate of pay, as
9 opposed to the regular rate of pay, which would take into account all night premiums and/or shift
10 differentials, or by dividing the employees' total wages, not including overtime premium pay, by
11 the employees' total hours worked in the full pay periods of the prior 90 days of employment, as
12 required by Labor Code § 246. This resulted in the employees being underpaid for sick time, and
13 resulted in violations of California Labor Code §§ 201, 202, and 203, and other derivative Labor
14 Code violations, because Defendant did not pay, or timely pay, Plaintiff and the unpaid wages for
15 work performed by them during their employment and at the end of their employment.

16 70. As a result of the unlawful acts of Defendant, Plaintiff and Class Members have
17 been deprived of sick pay in amounts to be determined at trial, and are entitled to the recovery of
18 such amounts, plus interest and penalties thereon, attorneys' fees, and costs.

19 **FIFTH CAUSE OF ACTION**

20 **FAILURE TO INDEMNIFY NECESSARY BUSINESS EXPENSES**

21 **(Against All Defendants)**

22 71. Plaintiff incorporates and re-alleges each and every allegation contained above as
23 though fully set forth herein.

24 72. Labor Code § 2802 requires Defendants to indemnify Plaintiff and Class Members
25 for necessary expenditures incurred in direct consequences of the discharge of his or her duties. As
26 a necessary part of employment, Plaintiff and on information and belief Class Members, were not
27 adequately reimbursed by Defendants for expenses related to all expenses incurred as a result of
28 their personal cellphone usage and personal funds usage as described above, which was incurred

1 as a direct consequence of the discharge of duties by Plaintiff and Class Members. Despite these
2 realities of the job, Defendants failed to provide reimbursements.

3 73. Labor Code §2804 states in pertinent part: "Any contract or agreement, express or
4 implied, made by any employee to waive the benefits of this article or any part thereof is null and
5 void, and this article shall not deprive any employee or his or her personal representative of any
6 right or remedy to which he is entitled under the laws of this State.

7 74. As a result of the unlawful acts of Defendants, Plaintiff and the Class Members
8 have been deprived of un-reimbursed expense amounts to be determined at trial, and are entitled to
9 the recovery of such amounts, plus interest and penalties thereon, attorneys' fees, and costs,
10 pursuant to Labor Code § 2802.

11 **SIXTH CAUSE OF ACTION**

12 **VIOLATION OF BUSINESS & PROFESSIONS CODE § 17200, et.seq.**

13 **(Against All Defendants)**

14 75. Plaintiff incorporates and re-alleges each and every allegation contained above as
15 though fully set forth herein.

16 76. Defendants' conduct, as alleged in this complaint, has been, and continues to be,
17 unfair, unlawful, and harmful to Plaintiff and Class Members, Defendants' competitors, and the
18 general public. Plaintiff seeks to enforce important rights affecting the public interest within the
19 meaning of the California Code of Civil Procedure §1021.5.

20 77. Defendants' policies, activities, and actions as alleged herein, are violations of
21 California law and constitute unlawful business acts and practices in violation of California
22 Business and Professions Code §§17200, et seq.

23 78. A violation of California Business and Professions Code §§17200, et seq., may be
24 predicated on the violation of any state or federal law. Defendants' policy of failing to accurately
25 pay overtime, failing to pay minimum wages, failing to reimburse expenses, failing to provide
26 accurate itemized wage statements and failing to accurately pay Plaintiff and Class Members sick
27 pay, violates Labor Code § 226, §246, §512, § 226.7, § 246, § 1194, § 2802, and applicable IWC
28 Wage Orders and California Code of Regulations.

79. Plaintiff and Class Members have been personally aggrieved by Defendants' unlawful and unfair business acts and practices alleged herein by the loss of money and/or property.

80. Pursuant to California Business and Professions Code §§17200, et seq., Plaintiff and Class Members are entitled to restitution of the wages withheld and retained by Defendants during a period that commences four (4) years prior to the filing of this complaint; an award of attorneys' fees, interest; and an award of costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, as follows:

Class Certification

1. That this action be certified as a class action;
2. That Plaintiff be appointed as the representative of the Class;
3. That Plaintiff be appointed as the representative of the Subclass; and
4. That counsel for Plaintiff is appointed as counsel for the Class and Subclass.

On the First Cause of Action

1. For compensatory damages equal to the unpaid balance of minimum wage compensation and overtime owed to Plaintiff and Class members as well as interest and costs;
2. For reasonable attorneys' fees and costs pursuant to Labor Code §§ 510, and 1194;
3. For liquidated damages in an amount equal to the wages unlawfully unpaid and interest thereon pursuant to Labor Code §§ 1194.2, 558;
4. For such other and further relief as the Court deems proper.

On the Second Cause of Action

1. For statutory penalties pursuant to Labor Code §203;
2. For interest for wages untimely paid; and
3. For such other and further relief as the Court deems proper.

On the Third Cause of Action

1. For statutory penalties pursuant to Labor Code §226;
2. For interest for wages untimely paid;

3. For penalties pursuant to Labor Code §266.3; and
4. For such other and further relief as the Court deems proper.

On the Fourth Cause of Action

1. For unpaid sick leave;
2. For penalties pursuant to Labor Code § 203;
3. For interest;
4. For reasonable attorneys' fees and costs pursuant to statute; and
5. For such other and further relief as the Court deems proper

On the Fifth Cause of Action

1. For statutory penalties pursuant to Labor Code §2802;
2. For interest for wages untimely paid; and
3. For such other and further relief as the Court deems proper.

On the Sixth Cause of Action

1. That Defendants, jointly and/or severally, pay restitution of sums to Plaintiff and Class Members for their past failure to accurately pay overtime, failing to pay minimum wages, failing to reimburse expenses, failing to accurately pay sick leave, failing to provide accurate itemized wage statements;

2. For pre-judgment interest on any unpaid wages due from the day that such amounts were due;

3. For reasonable attorneys' fees that Plaintiff and Class Members are entitled to recover;

4. For costs of suit incurred herein; and

5. For such other and further relief as the Court deems proper.

DEMAND FOR JURY TRIAL

Plaintiff and members of the Class and Subclass request a jury trial in this matter.

Dated: February 28, 2022

JAMES HAWKINS APLC

By: 

JAMES R. HAWKINS, ESQ.

GREGORY MAURO, ESQ.

MICHAEL CALVO, ESQ.

LAUREN FALK, ESQ.

AVA ISSARY, ESQ.

Attorneys for Plaintiff DAVID YUREVICH
JR. individually and on behalf of all others
similarly situated.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	<small>Reserved for Clerk's File Stamp</small> FILED Superior Court of California County of Los Angeles 02/28/2022 Sherri R. Carter, Executive Officer / Clerk of Court By <u>J. Covarrubias</u> Deputy
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012	
NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE	
Your case is assigned for all purposes to the judicial officer indicated below.	CASE NUMBER: 22STCV07221

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	Kenneth R. Freeman	14					

Given to the Plaintiff/Cross-Complainant/Attorney of Record Sherri R. Carter, Executive Officer / Clerk of Court
 on 03/01/2022 (Date) By J. Covarrubias, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

***Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

FILED
Superior Court of California
County of Los Angeles

MAY 03 2019

Sherri R. Carter, Executive Officer/Clerk
By Rizalinda Mina, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

IN RE LOS ANGELES SUPERIOR COURT) FIRST AMENDED GENERAL ORDER
— MANDATORY ELECTRONIC FILING)
FOR CIVIL)

On December 3, 2018, the Los Angeles County Superior Court mandated electronic filing of all documents in Limited Civil cases by litigants represented by attorneys. On January 2, 2019, the Los Angeles County Superior Court mandated electronic filing of all documents filed in Non-Complex Unlimited Civil cases by litigants represented by attorneys. (California Rules of Court, rule 2.253(b).) All electronically filed documents in Limited and Non-Complex Unlimited cases are subject to the following:

1) DEFINITIONS

- a) **“Bookmark”** A bookmark is a PDF document navigational tool that allows the reader to quickly locate and navigate to a designated point of interest within a document.
- b) **“Efiling Portal”** The official court website includes a webpage, referred to as the efiling portal, that gives litigants access to the approved Electronic Filing Service Providers.
- c) **“Electronic Envelope”** A transaction through the electronic service provider for submission of documents to the Court for processing which may contain one or more PDF documents attached.
- d) **“Electronic Filing”** Electronic Filing (eFiling) is the electronic transmission to a Court of a document in electronic form. (California Rules of Court, rule 2.250(b)(7).)

- 1 e) **“Electronic Filing Service Provider”** An Electronic Filing Service Provider (EFSP) is a
2 person or entity that receives an electronic filing from a party for retransmission to the Court.
3 In the submission of filings, the EFSP does so on behalf of the electronic filer and not as an
4 agent of the Court. (California Rules of Court, rule 2.250(b)(8).)
- 5 f) **“Electronic Signature”** For purposes of these local rules and in conformity with Code of
6 Civil Procedure section 17, subdivision (b)(3), section 34, and section 1010.6, subdivision
7 (b)(2), Government Code section 68150, subdivision (g), and California Rules of Court, rule
8 2.257, the term “Electronic Signature” is generally defined as an electronic sound, symbol, or
9 process attached to or logically associated with an electronic record and executed or adopted
10 by a person with the intent to sign the electronic record.
- 11 g) **“Hyperlink”** An electronic link providing direct access from one distinctively marked place
12 in a hypertext or hypermedia document to another in the same or different document.
- 13 h) **“Portable Document Format”** A digital document format that preserves all fonts,
14 formatting, colors and graphics of the original source document, regardless of the application
15 platform used.

16 2) **MANDATORY ELECTRONIC FILING**

17 a) **Trial Court Records**

18 Pursuant to Government Code section 68150, trial court records may be created, maintained,
19 and preserved in electronic format. Any document that the Court receives electronically must
20 be clerically processed and must satisfy all legal filing requirements in order to be filed as an
21 official court record (California Rules of Court, rules 2.100, et seq. and 2.253(b)(6)).

22 b) **Represented Litigants**

23 Pursuant to California Rules of Court, rule 2.253(b), represented litigants are required to
24 electronically file documents with the Court through an approved EFSP.

25 c) **Public Notice**

26 The Court has issued a Public Notice with effective dates the Court required parties to
27 electronically file documents through one or more approved EFSPs. Public Notices containing
28 effective dates and the list of EFSPs are available on the Court’s website, at www.lacourt.org.

1 d) Documents in Related Cases

2 Documents in related cases must be electronically filed in the eFiling portal for that case type if
3 electronic filing has been implemented in that case type, regardless of whether the case has
4 been related to a Civil case.

5 3) EXEMPT LITIGANTS

6 a) Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt
7 from mandatory electronic filing requirements.

8 b) Pursuant to Code of Civil Procedure section 1010.6, subdivision (d)(3) and California Rules of
9 Court, rule 2.253(b)(4), any party may make application to the Court requesting to be excused
10 from filing documents electronically and be permitted to file documents by conventional
11 means if the party shows undue hardship or significant prejudice.

12 4) EXEMPT FILINGS

13 a) The following documents shall not be filed electronically:

- 14 i) Peremptory Challenges or Challenges for Cause of a Judicial Officer pursuant to Code of
15 Civil Procedure sections 170.6 or 170.3;
16 ii) Bonds/Undertaking documents;
17 iii) Trial and Evidentiary Hearing Exhibits
18 iv) Any ex parte application that is filed concurrently with a new complaint including those
19 that will be handled by a Writs and Receivers department in the Mosk courthouse; and
20 v) Documents submitted conditionally under seal. The actual motion or application shall be
21 electronically filed. A courtesy copy of the electronically filed motion or application to
22 submit documents conditionally under seal must be provided with the documents
23 submitted conditionally under seal.

24 b) Lodgments

25 Documents attached to a Notice of Lodgment shall be lodged and/or served conventionally in
26 paper form. The actual document entitled, "Notice of Lodgment," shall be filed electronically.

27 //

28 //

1 5) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

2 Electronic filing service providers must obtain and manage registration information for persons
3 and entities electronically filing with the court.

4 6) TECHNICAL REQUIREMENTS

5 a) Electronic documents must be electronically filed in PDF, text searchable format **when**
6 technologically feasible without impairment of the document's image.

7 b) The table of contents for any filing must be bookmarked.

8 c) Electronic documents, including but not limited to, declarations, proofs of service, and
9 exhibits, must be bookmarked within the document pursuant to California Rules of Court, rule
10 3.1110(f)(4). Electronic bookmarks must include links to the first page of each bookmarked
11 item (e.g. exhibits, declarations, deposition excerpts) and with bookmark titles that identify the
12 bookedmarked item and briefly describe the item.

13 d) Attachments to primary documents must be bookmarked. Examples include, but are not
14 limited to, the following:

15 i) Depositions;

16 ii) Declarations;

17 iii) Exhibits (including exhibits to declarations);

18 iv) Transcripts (including excerpts within transcripts);

19 v) Points and Authorities;

20 vi) Citations; and

21 vii) Supporting Briefs.

22 e) Use of hyperlinks within documents (including attachments and exhibits) is strongly
23 encouraged.

24 f) Accompanying Documents

25 Each document accompanying a single pleading must be electronically filed as a **separate**
26 digital PDF document.

27 g) Multiple Documents

28 Multiple documents relating to one case can be uploaded in one envelope transaction.

h) Writs and Abstracts

Writs and Abstracts must be submitted as a separate electronic envelope.

i) Sealed Documents

If and when a judicial officer orders documents to be filed under seal, those documents must be filed electronically (unless exempted under paragraph 4); the burden of accurately designating the documents as sealed at the time of electronic submission is the submitting party's responsibility.

j) Redaction

Pursuant to California Rules of Court, rule 1.201, it is the submitting party's responsibility to redact confidential information (such as using initials for names of minors, using the last four digits of a social security number, and using the year for date of birth) so that the information shall not be publicly displayed.

7) ELECTRONIC FILING SCHEDULE

a) Filed Date

i) Any document received electronically by the court between 12:00 am and 11:59:59 pm shall be deemed to have been effectively filed on that court day if accepted for filing. Any document received electronically on a non-court day, is deemed to have been effectively filed on the next court day if accepted. (California Rules of Court, rule 2.253(b)(6); Code Civ. Proc. § 1010.6(b)(3).)

ii) Notwithstanding any other provision of this order, if a digital document is not filed in due course because of: (1) an interruption in service; (2) a transmission error that is not the fault of the transmitter; or (3) a processing failure that occurs after receipt, the Court may order, either on its own motion or by noticed motion submitted with a declaration for Court consideration, that the document be deemed filed and/or that the document's filing date conform to the attempted transmission date.

8) EX PARTE APPLICATIONS

a) Ex parte applications and all documents in support thereof must be electronically filed no later than 10:00 a.m. the court day before the ex parte hearing.

b) Any written opposition to an ex parte application must be electronically filed by 8:30 a.m. the day of the ex parte hearing. A printed courtesy copy of any opposition to an ex parte application must be provided to the court the day of the ex parte hearing.

9) PRINTED COURTESY COPIES

a) For any filing electronically filed two or fewer days before the hearing, a courtesy copy must be delivered to the courtroom by 4:30 p.m. the same business day the document is efiled. If the efiled is submitted after 4:30 p.m., the courtesy copy must be delivered to the courtroom by 10:00 a.m. the next business day.

b) Regardless of the time of electronic filing, a printed courtesy copy (along with proof of electronic submission) is required for the following documents:

- i) Any printed document required pursuant to a Standing or General Order;
- ii) Pleadings and motions (including attachments such as declarations and exhibits) of 26 pages or more;
- iii) Pleadings and motions that include points and authorities;
- iv) Demurrers;
- v) Anti-SLAPP filings, pursuant to Code of Civil Procedure section 425.16;
- vi) Motions for Summary Judgment/Adjudication; and
- vii) Motions to Compel Further Discovery.

c) Nothing in this General Order precludes a Judicial Officer from requesting a courtesy copy of additional documents. Courtroom specific courtesy copy guidelines can be found at www.lacourt.org on the Civil webpage under "Courtroom Information."

10) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

- a) Fees and costs associated with electronic filing must be waived for any litigant who has received a fee waiver. (California Rules of Court, rules 2.253(b)(), 2.258(b), Code Civ. Proc. § 1010.6(d)(2).)
- b) Fee waiver applications for waiver of court fees and costs pursuant to Code of Civil Procedure section 1010.6, subdivision (b)(6), and California Rules of Court, rule 2.252(f), may be electronically filed in any authorized action or proceeding.

11) SIGNATURES ON ELECTRONIC FILING

For purposes of this General Order, all electronic filings must be in compliance with California Rules of Court, rule 2.257. This General Order applies to documents filed within the Civil Division of the Los Angeles County Superior Court.

This First Amended General Order supersedes any previous order related to electronic filing, and is effective immediately, and is to remain in effect until otherwise ordered by the Civil Supervising Judge and/or Presiding Judge.

DATED: May 3, 2019



Kevin C. Brazile
KEVIN C. BRAZILE
Presiding Judge

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman

CSR: None

Judicial Assistant: B. Guerrero

ERM: None

Courtroom Assistant: C. Gomez

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Court Order Regarding Newly Filed Class Action;

By this order, the Court determines this case to be Complex according to Rule 3.400 of the California Rules of Court. The Clerk's Office has assigned this case to this department for all purposes.

Pursuant to Government Code Sections 70616(a) and 70616(b), a single complex fee of one thousand dollars (\$1,000.00) must be paid on behalf of all plaintiffs. For defendants, a complex fee of one thousand dollars (\$1,000.00) must be paid for each defendant, intervenor, respondent or adverse party, not to exceed, for each separate case number, a total of eighteen thousand dollars (\$18,000.00), collected from all defendants, intervenors, respondents, or adverse parties. All such fees are ordered to be paid to Los Angeles Superior Court, within ten (10) days of service of this order.

By this order, the Court stays the case, except for service of the Summons and Complaint. The stay continues at least until the Initial Status Conference. Initial Status Conference is set for 06/03/2022 at 10:00 AM in this department. At least ten (10) days prior to the Initial Status Conference, counsel for all parties must discuss the issues set forth in the Initial Status Conference Order issued this date. Counsel must file a Joint Initial Status Conference Response Statement five (5) court days before the Initial Status Conference.

The Initial Status Conference Order, served concurrently with this Minute Order, is to help the Court and the parties manage this complex case by developing an orderly schedule for briefing, discovery, and court hearings. The parties are informally encouraged to exchange documents and information as may be useful for case evaluation.

Responsive pleadings shall not be filed until further Order of the Court. Parties must file a Notice of Appearance in lieu of an Answer or other responsive pleading. The filing of a Notice of

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman
Judicial Assistant: B. Guerrero
Courtroom Assistant: C. Gomez

CSR: None
ERM: None
Deputy Sheriff: None

Appearance shall not constitute a waiver of any substantive or procedural challenge to the Complaint. Nothing in this order stays the time for filing an Affidavit of Prejudice pursuant to Code of Civil Procedure Section 170.6. Nothing in this order stays the filing of an Amended Complaint pursuant to Labor Code Section 2699.3(a)(2)(C) by a plaintiff wishing to add a Private Attorney General Act ("PAGA") claim.

For information on electronic filing in the Complex Courts, please refer to <https://www.lacourt.org/division/efiling/efiling2.aspx#civil>. See, in particular, the link therein for "Complex Civil efilg." Parties shall file all documents in conformity with the Presiding Judge's First Amended General Order of May 3, 2019, particularly including the provisions therein requiring Bookmarking with links to primary documents and citations; that Order is available on the Court's website at the link shown above.

For efficiency in communication with counsel, the complex program requires the parties in every new case to use an approved third-party cloud service that provides an electronic message board. In order to facilitate communication with counsel prior to the Initial Status Conference, the parties must sign-up with the e-service provider at least ten (10) court days in advance of the Initial Status Conference and advise the Court which provider was selected.

The court has implemented LACourtConnect to allow attorneys, self-represented litigants and parties to make audio or video appearances in Los Angeles County courtrooms. LACourtConnect technology provides a secure, safe and convenient way to attend hearings remotely. A key element of the Court's Access LACourt YOUR WAY program to provide services and access to justice, LACourtConnect is intended to enhance social distancing and change the traditional in-person courtroom appearance model. See <https://my.lacourt.org/laccwelcome> for more information.

This Complex Courtroom does not use Los Angeles Superior Court's Court Reservation ("CRS") portal to reserve motion hearing dates. Rather, counsel may secure dates by calling the Courtroom Assistant at 213-310-70xx with the "xx" being the Department number, e.g. Dept. 1 is 01 and Dept. 10 is 10.

Court reporters are not provided for hearings or trials. The parties should make their own arrangements for any hearing where a transcript is desired.

If you believe a party or witness will need an interpreter, see the court's website for information on how to make such a request in a timely manner. <https://www.lacourt.org/irud/UI/index.aspx>

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman
Judicial Assistant: B. Guerrero
Courtroom Assistant: C. Gomez

CSR: None
ERM: None
Deputy Sheriff: None

Counsel are directed to access the following link for further information on procedures in the Complex litigation Program courtrooms: <https://www.lacourt.org/division/civil/CI0042.aspx>.

The plaintiff must serve a copy of this minute order and the attached Initial Status Conference Order on all parties forthwith and file a Proof of Service in this department within seven (7) days of service.

Certificate of Mailing is attached.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse. 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 03/14/2022 Sheri R. Carter, Executive Officer / Clerk of Court By: <u>B. Guerrero</u> Deputy
PLAINTIFF/PETITIONER: DAVID YUREVICH JR.		
DEFENDANT/RESPONDENT: Interstate-Rim Management Company, LLC et al		
CERTIFICATE OF MAILING		CASE NUMBER: 22STCV07221

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Regarding Newly Filed Class Action;) of 03/14/2022, Initial Status Conference Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

James R. Hawkins
James Hawkins APLC
9880 Research Drive, Suite 200
Irvine, CA 92618

Sheri R. Carter, Executive Officer / Clerk of Court

Dated: 03/15/2022

By: B. Guerrero
Deputy Clerk



Superior Court of California, County of Los Angeles

ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control** (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

Main Types of ADR

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

Mediation may be appropriate when the parties

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

Mediation may not be appropriate when the parties

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

How to Arrange Mediation in Los Angeles County

Mediation for civil cases is voluntary and parties may select any mediator they wish. Options include:

a. The Civil Mediation Vendor Resource List

If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Case Manager Elizabeth Sanchez, elizabeth@adrservices.com (949) 863-9800
- **JAMS, Inc.** Assistant Manager Reggie Joseph, RJoseph@jamsadr.com (310) 309-6209
- **Mediation Center of Los Angeles** Program Manager info@mediationLA.org (833) 476-9145

These organizations cannot accept every case and they may decline cases at their discretion. They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at www.lacourt.org/ADR.Res.List

NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate or small claims cases.

b. Los Angeles County Dispute Resolution Programs

<https://hrc.lacounty.gov/wp-content/uploads/2020/05/DRP-Fact-Sheet-23October19-Current-as-of-October-2019-1.pdf>

Day of trial mediation programs have been paused until further notice.

Online Dispute Resolution (ODR). Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case.

c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.

3. Arbitration: Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <http://www.courts.ca.gov/programs-adr.htm>

4. Mandatory Settlement Conferences (MSC): MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit <http://www.lacourt.org/division/civil/C10047.aspx>

Los Angeles Superior Court ADR website: <http://www.lacourt.org/division/civil/C10109.aspx>
For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAR 14 2022

Sherri R. Carter, Executive Officer/Clerk of Court
By: Berta Guerrero, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CENTRAL DISTRICT

DAVID YUREVICH JR

Plaintiff,

vs.

INTERSTATE-RIM MANAGEMENT
COMPANY, et al
Defendants.

Case No. 22STCV07221
INITIAL STATUS CONFERENCE ORDER
(COMPLEX LITIGATION PROGRAM)

Case Assigned for All Purposes to
Judge Kenneth R. Freeman

Department: 14
Date: June 3, 2022
Time: 10:00 a.m.

Due to the pandemic and the urgent need to avoid court appearances, the parties MUST sign up with an e- service provider at least ten court days in advance of the Initial Status Conference and advise the Court, via email to sscdept14@lacourt.org, which provider was selected.

This case has been assigned for all purposes to Judge Kenneth R. Freeman in the Complex Litigation Program. An Initial Status Conference is set for **June 3, 2022, at 10:00 a.m., in Department 14** located in the **Spring Street Courthouse**, at United States District Court, at 312 N. Spring Street, Los Angeles, California 90012. Counsel for all the parties are ordered to attend.

The Court orders counsel to prepare for the Initial Status Conference by identifying and discussing the central legal and factual issues in the case. Counsel for plaintiff is ordered to

1 initiate contact with counsel for defense to begin this process. Counsel then must negotiate and
2 agree, as possible, on a case management plan. To this end, counsel must file a Joint Initial Status
3 Conference Class Action Response Statement ten (10) court days (**June 3, 2022 and provide a**
4 **conformed courtesy copy DIRECTLY in Department 14**) before the Initial Status Conference.
5 The Joint Response Statement must be filed on line-numbered pleading paper and must
6 specifically answer each of the below-numbered questions. Do not the use the Judicial Council
7 Form CM-110 (Case Management Statement) for this purpose.
8

9 **1. PARTIES AND COUNSEL:** Please list all presently-named class representatives and
10 presently-named defendants, together with all counsel of record, including counsel's contact and
11 email information.

12 **2. POTENTIAL ADDITIONAL PARTIES:** Does any plaintiff presently intend to add
13 more class representatives? If so, and if known, by what date and by what name? Does any
14 plaintiff presently intend to name more defendants? If so, and if known, by what date and by what
15 name? Does any appearing defendant presently intend to file a cross-complaint? If so, who will
16 be named.
17

18 **3. IMPROPERLY NAMED DEFENDANT(S):** If the complaint names the wrong
19 person or entity, please explain.

20 **4. ADEQUACY OF PROPOSED CLASS REPRESENTATIVE(S):** If any party
21 believes one or more named plaintiffs might not be an adequate class representative, please
22 explain. No prejudice will attach to these responses.
23

24 **5. ESTIMATED CLASS SIZE:** Please discuss and indicate the estimated class size.

25 **6. OTHER ACTIONS WITH OVERLAPPING CLASS DEFINITIONS:** Please list
26 other cases with overlapping class definitions. Please identify the court, the short caption title, the
27 docket number, and the case status.
28

7. POTENTIALLY RELEVANT ARBITRATION AND/OR CLASS ACTION

WAIVER CLAUSES: Please include a sample of any clause of this sort. Opposing parties must summarize their views on this issue.

8. POTENTIAL EARLY CRUCIAL MOTIONS: Opposing counsel are to identify and describe the significant core issues in the case. Counsel then are to identify efficient ways to resolve those issues. The vehicles include:

- Early motions in limine,
- Early motions about particular jury instructions,
- Demurrers,
- Motions to strike,
- Motions for judgment on the pleadings, and
- Motions for summary judgment and summary adjudication.

9. CLASS CONTACT INFORMATION: Does plaintiff need class contact information from the defendant's records? If so, do the parties consent to an "opt-out" notice process (as approved in *Belaire-West Landscape, Inc. v. Superior Court* (2007) 149 Cal.App.4th 554, 561) to precede defense delivery of this information to plaintiff's counsel? If the parties agree on the notice process, who should pay for it? Should there be a third-party administrator?

10. PROTECTIVE ORDERS: Parties considering an order to protect confidential information from general disclosure should begin with the model protective orders found on the Los Angeles Superior Court Website under "Civil Tools for Litigators."

11. DISCOVERY: Please discuss discovery. Do the parties agree on a plan? If not, can the parties negotiate a compromise? At minimum, please summarize each side's views on discovery. The Court generally allows discovery on matters relevant to class certification, which (depending on circumstances) may include factual issues also touching the merits. The Court

generally does not permit extensive or expensive discovery relevant only to the merits (for example, detailed damages discovery) unless a persuasive showing establishes early need. If any party seeks discovery from absent class members, please estimate how many, and also state the kind of discovery you propose¹.

12. INSURANCE COVERAGE: Please state if there is insurance for indemnity or reimbursement.

13. ALTERNATIVE DISPUTE RESOLUTION: Please discuss ADR and state each party's position about it. If pertinent, how can the Court help identify the correct neutral and prepare the case for a successful settlement negotiation?

14. TIMELINE FOR CASE MANAGEMENT: Please recommend dates and times for the following:

- The next status conference,
- A schedule for alternative dispute resolution, if it is relevant,
- A filing deadline for the motion for class certification, and
- Filing deadlines and descriptions for other anticipated non-discovery motions.

15. ELECTRONIC SERVICE OF PAPERS: For efficiency the complex program requires the parties in every new case to use a third-party cloud service. While the parties are free to choose one of the services shown below, this Court (Department 14) prefers that the parties select:

- Case Anywhere (<http://www.caseanywhere.com>).

The parties are not required to select Case Anywhere, but may chose instead either

- File & Serve Xpress (<https://secure.fileandservexpress.com>) or

¹ See California Rule of Court, Rule 3.768.

1 ■ CaseHomePage (<http://www.casehomepage.com>).

2 Please agree on one and submit the parties' choice when filing the Joint Initial Status
3 Conference Class Action Response Statement. If there is agreement, please identify the vendor. If
4 parties cannot agree, the Court will select the vendor at the Initial Status Conference. Electronic
5 service is not the same as electronic filing. Only traditional methods of filing by physical delivery
6 of original papers or by fax filing are presently acceptable.

7 **Reminder When Seeking To Dismiss Or To Obtain Settlement Approval:**

8 "A dismissal of an entire class action, or of any party or cause of action in a class action,
9 requires Court approval . . . Requests for dismissal must be accompanied by a declaration setting
10 forth the facts on which the party relies. The declaration must clearly state whether consideration,
11 direct or indirect, is being given for the dismissal and must describe the consideration in detail."²
12 If the parties have settled the class action, that too will require judicial approval based on a noticed
13 motion (although it may be possible to shorten time by consent for good cause shown).
14

15 Pending further order of this Court, and except as otherwise provided in this Initial Status
16 Conference Order, these proceedings are stayed in their entirety. This stay shall preclude the filing
17 of any answer, demurrer, motion to strike, or motions challenging the jurisdiction of the Court.
18 However, any defendant may file a Notice of Appearance for purposes of identification of counsel
19 and preparation of a service list. The filing of such a Notice of Appearance shall be without
20 prejudice to any challenge to the jurisdiction of the Court, substantive or procedural challenges to
21 the Complaint, without prejudice to any affirmative defense, and without prejudice to the filing of
22 any cross-complaint in this action. This stay is issued to assist the Court and the parties in
23 managing this "complex" case through the development of an orderly schedule for briefing and
24

25
26
27 ² California Rule of Court, Rule 3.770(a)
28

1 hearings on procedural and substantive challenges to the complaint and other issues that may
2 assist in the orderly management of these cases. This stay shall not preclude the parties from
3 informally exchanging documents that may assist in their initial evaluation of the issues presented
4 in this case, however shall stay all outstanding discovery requests.

5 Plaintiff's counsel is directed to serve a copy of this Initial Status Conference Order on
6 counsel for all parties, or if counsel has not been identified, on all parties, within five (5) days of
7 service of this order. If any defendant has not been served in this action, service is to be completed
8 within twenty (20) days of the date of this order.
9

10 Dated: 3-14-2022

11
12 KENNETH R. FREEMAN

13

Judge Kenneth R. Freeman
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SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 03/14/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>B. Guerrero</u> Deputy
PLAINTIFF/PETITIONER: DAVID YUREVICH JR.		
DEFENDANT/RESPONDENT: Interstate-Rim Management Company, LLC et al		
CERTIFICATE OF MAILING		CASE NUMBER: 22STCV07221

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Regarding Newly Filed Class Action;) of 03/14/2022, Initial Status Conference Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

James R. Hawkins
James Hawkins APLC
9880 Research Drive, Suite 200
Irvine, CA 92618

Sherri R. Carter, Executive Officer / Clerk of Court

Dated: 03/15/2022

By: B. Guerrero
Deputy Clerk

VOLUNTARY EFFICIENT LITIGATION STIPULATIONS



Superior Court of California
County of Los Angeles

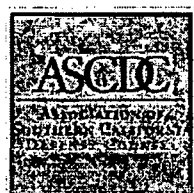


Los Angeles County
Bar Association
Litigation Section

Los Angeles County
Bar Association Labor and
Employment Law Section



Consumer Attorneys
Association of Los Angeles



Southern California
Defense Counsel



Association of
Business Trial Lawyers



California Employment
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.

◆ Los Angeles County Bar Association Litigation Section ◆

◆ Los Angeles County Bar Association Labor and Employment Law Section ◆

◆ Consumer Attorneys Association of Los Angeles ◆

◆ Southern California Defense Counsel ◆

◆ Association of Business Trial Lawyers ◆

◆ California Employment Lawyers Association ◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION – EARLY ORGANIZATIONAL MEETING			

This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.

The parties agree that:

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, *to discuss and consider whether there can be agreement on the following:*
 - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
 - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
 - c. Exchange of names and contact information of witnesses;
 - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
 - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;
 - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
 - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:
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discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents, not privileged or protected from disclosure, on which such computation is based;
 - i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at www.lacourt.org under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to _____ (INSERT DATE) for the complaint, and _____ (INSERT DATE) for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation. A copy of the General Order can be found at www.lacourt.org under "Civil", click on "General Information", then click on "Voluntary Efficient Litigation Stipulations".
 3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
 4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR PLAINTIFF)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION – DISCOVERY RESOLUTION			

This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.

The parties agree that:

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
 - a. The party requesting the Informal Discovery Conference will:
 - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
 - ii. Include a brief summary of the dispute and specify the relief requested; and
 - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
 - b. Any Answer to a Request for Informal Discovery Conference must:
 - i. Also be filed on the approved form (copy attached);
 - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:

CASE NUMBER:

- iii. Be filed within two (2) court days of receipt of the Request; and
 - iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
 - c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
 - d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
 - e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.
 4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.
 5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.
- It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).
6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
 7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
 8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:	CASE NUMBER:
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The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

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Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

➤

(ATTORNEY FOR PLAINTIFF)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

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(ATTORNEY FOR _____)

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NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
INFORMAL DISCOVERY CONFERENCE (pursuant to the Discovery Resolution Stipulation of the parties)			

1. This document relates to:

☐
☐

Request for Informal Discovery Conference
 Answer to Request for Informal Discovery Conference

2. Deadline for Court to decide on Request: _____ (insert date 10 calendar days following filing of the Request).

3. Deadline for Court to hold Informal Discovery Conference: _____ (insert date 20 calendar days following filing of the Request).

4. For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:		FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
STIPULATION AND ORDER – MOTIONS IN LIMINE			CASE NUMBER:

This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.

The parties agree that:

1. At least ____ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
 - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
 - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

➤

(ATTORNEY FOR PLAINTIFF)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

THE COURT SO ORDERS.

Date: _____

JUDICIAL OFFICER

Print

Save

Clear

FILED
LOS ANGELES SUPERIOR COURT

MAY 11 2011

JOHN A. CLARKE, CLERK
N. Navarro
BY NANCY NAVARRO, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

General Order Re	)	ORDER PURSUANT TO CCP 1054(a),
Use of Voluntary Efficient Litigation	)	EXTENDING TIME TO RESPOND BY
Stipulations	)	30 DAYS WHEN PARTIES AGREE
	)	TO EARLY ORGANIZATIONAL
	)	MEETING STIPULATION

Whereas the Los Angeles Superior Court and the Executive Committee of the Litigation Section of the Los Angeles County Bar Association have cooperated in drafting "Voluntary Efficient Litigation Stipulations" and in proposing the stipulations for use in general jurisdiction civil litigation in Los Angeles County;

Whereas the Los Angeles County Bar Association Litigation Section; the Los Angeles County Bar Association Labor and Employment Law Section; the Consumer Attorneys Association of Los Angeles; the Association of Southern California Defense Counsel; the Association of Business Trial Lawyers of Los Angeles; and the California Employment Lawyers Association all "endorse the goal of promoting efficiency in litigation, and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases;"

1 Whereas the Early Organizational Meeting Stipulation is intended to encourage
2 cooperation among the parties at an early stage in litigation in order to achieve
3 litigation efficiencies;

4 Whereas it is intended that use of the Early Organizational Meeting Stipulation
5 will promote economic case resolution and judicial efficiency;

6
7 Whereas, in order to promote a meaningful discussion of pleading issues at the
8 Early Organizational Meeting and potentially to reduce the need for motions to
9 challenge the pleadings, it is necessary to allow additional time to conduct the Early
10 Organizational Meeting before the time to respond to a complaint or cross complaint
11 has expired;

12
13 Whereas Code of Civil Procedure section 1054(a) allows a judge of the court in
14 which an action is pending to extend for not more than 30 days the time to respond to
15 a pleading "upon good cause shown";

16 Now, therefore, this Court hereby finds that there is good cause to extend for 30
17 days the time to respond to a complaint or to a cross complaint in any action in which
18 the parties have entered into the Early Organizational Meeting Stipulation. This finding
19 of good cause is based on the anticipated judicial efficiency and benefits of economic
20 case resolution that the Early Organizational Meeting Stipulation is intended to
21 promote.
22

23
24 IT IS HEREBY ORDERED that, in any case in which the parties have entered
25 into an Early Organizational Meeting Stipulation, the time for a defending party to
26 respond to a complaint or cross complaint shall be extended by the 30 days permitted
27
28

1 by Code of Civil Procedure section 1054(a) without further need of a specific court
2 order.

3
4 DATED: May 11, 2011

Carolyn B. Kuhl
Carolyn B. Kuhl, Supervising Judge of the
Civil Departments, Los Angeles Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): 22STCV07221 JAMES HAWKINS APLC.; James R. Hawkins (#192925); Gregory Mauro (#222239) Michael Calvo (#314986); Lauren Falk (#316893); Ava Issary (#342252) 9880 Research Drive Suite 200 Irvine, CA 92816		FOR COURT USE ONLY
TELEPHONE NO.: 949-387-7200 FAX NO. (Optional): 949-387-6676		
ATTORNEY FOR (Name): David Yurevich JR		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk		
CASE NAME: David Yurevich Jr, individually and on behalf of all others similarly situated v. Interstate-Rim Management Company, LLC, a Delaware Limited Liability Company, et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER: <div style="font-size: 1.2em; font-weight: bold;">22STCV07221</div>
		JUDGE: DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	--

2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence	d. <input checked="" type="checkbox"/> Large number of witnesses e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. <input type="checkbox"/> Substantial postjudgment judicial supervision
--	---

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): 6

5. This case ☒ is ☐ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 02/28/2022

Gregory Mauro, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability *(not asbestos or toxic/environmental)* (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice *(not medical or legal)*
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract *(not unlawful detainer or wrongful eviction)*
Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage *(not provisionally complex)* (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment *(non-domestic relations)*
Sister State Judgment
Administrative Agency Award *(not unpaid taxes)*
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint *(not specified above)* (42)
Declaratory Relief Only
Injunctive Relief Only *(non-harassment)*
Mechanics Lien
Other Commercial Complaint Case *(non-tort/non-complex)*
Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition *(not specified above)* (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.	CASE NUMBER 22STCV07221
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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1:

Step 2:

Step 3:

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|---|
| <ul style="list-style-type: none"> 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. 2. Permissive filing in central district. 3. Location where cause of action arose. 4. Mandatory personal injury filing in North District. 5. Location where performance required or defendant resides. 6. Location of property or permanently garaged vehicle. | <ul style="list-style-type: none"> 7. Location where petitioner resides. 8. Location wherein defendant/respondent functions wholly. 9. Location where one or more of the parties reside. 10. Location of Labor Commissioner Office. |
|--|---|

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	0, 0, 0 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
Wrongful Eviction (33)		<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)		<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.		CASE NUMBER
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	A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8		
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment With Damages	2, 3, 9
<input type="checkbox"/> A6123 Workplace Harassment With Damages		2, 3, 9	
<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case With Damages		2, 3, 9	
<input type="checkbox"/> A6190 Election Contest		2	
<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender		2, 7	
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2, 3, 8	
<input type="checkbox"/> A6100 Other Civil Petition		2, 9	

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER


Step 4: Statement of Reason and Address

REASON: <input checked="" type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS:
CITY:	STATE:	ZIP CODE:	

Step 5: Certification of Assignment:

Central

Dated: 02/28/2022


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.



04/29/2022

CT Log Number 541493117

Service of Process Transmittal Summary

TO: Greg Moundas, Executive V.P. General Counsel
 AIMBRIDGE HOSPITALITY LLC
 5301 HEADQUARTERS DR
 PLANO, TX 75024-6187

RE: Process Served in California

FOR: Interstate Hotels & Resorts, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: DAVID YUREVICH JR., individually and on behalf of all others similarly situated // To: Interstate Hotels & Resorts, Inc.

CASE #: 22STCV07221

NATURE OF ACTION: Employee Litigation

PROCESS SERVED ON: C T Corporation System, GLENDALE, CA

DATE/METHOD OF SERVICE: By Process Server on 04/29/2022 at 01:32

JURISDICTION SERVED: California

ACTION ITEMS: CT will retain the current log

Image SOP

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PROCESS SERVER DELIVERY DETAILS

Date: Fri, Apr 29, 2022
Seryer Name: Douglas Forrest

Entity Served	INTERSTATE HOTELS & RESORTS, INC.
Case Number	22stcv07221
Jurisdiction	CA

Inserts		



SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO): Interstate-Rim Management Company, a Delaware Limited Liability Company operating at: Double Tree San Pedro; Interstate Hotels & Resorts, Inc.; Aimbridge Hospitality, LLC, a Delaware Liability Company; and DOES 1-50, inclusive,

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

DAVID YUREVICH JR., individually and on behalf of all others similarly situated

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Los Angeles Superior Court
111 North Hill St.
Los Angeles, CA 90012

CASE NUMBER: (Número del Caso):

22STCV07221

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

JAMES HAWKINS APLC, 9880 Research Drive, Suite 200 Irvine CA 92618; (949)387-7200

DATE:

(Fecha) 04/19/2022

Sherri R. Carter Executive Officer / Clerk of Court

Clerk, by

(Secretario)

E. Thomas

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): **Interstate Hotels & Resorts Inc**
under: ☒ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
4. ☒ by personal delivery on (date)

Page 1 of 1

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Kenneth Freeman
 Electronically FILED by Superior Court of California, County of Los Angeles on 02/28/2022 07:35 PM Sherri R. Carter, Executive Officer/Clerk of Court, by J. Covarrubias, Deputy Clerk

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Attorneys for Plaintiff DAVID YUREVICH JR.,
 Individually and on behalf of all others similarly situated.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

DAVID YUREVICH JR., individually and on
 behalf of all others similarly situated,

Plaintiff,

v.

INTERSTATE-RIM MANAGEMENT
 COMPANY, LLC, a Delaware Limited
 Liability Company operating at:
 DOUBLETREE SAN PEDRO; INTERSTATE
 HOTELS & RESORTS, INC.; AIMBRIDGE
 HOSPITALITY, LLC, a Delaware Limited
 Liability Company; and DOES 1-50, inclusive,

Defendants.

CASE NO.: 22STCV07221

**CLASS ACTION COMPLAINT
 PURSUANT TO CALIFORNIA CODE OF
 CIVIL PROCEDURE §382:**

1. Failure to Pay Wages Including Overtime as Required by Labor Code §§ 510 and 1194
2. Failure to Pay Timely Wages Required by Labor Code § 203
3. Failure to Provide Accurate Itemized Wage Statements as Required by Labor Code § 226
4. Failure to Accurately Record and Pay Sick Leave as Required by Labor Code § 246
5. Failure to Indemnify Necessary Business Expenses as Required by Labor Code § 2802
6. Violation of Business & Professions Code § 17200, et seq.

DEMAND FOR JURY TRIAL

1 Plaintiff DAVID YUREVICH JR. ("Plaintiff"), individually and on behalf of all others
2 similarly situated (hereinafter collectively referred to as the "Class" or "Class Member"), hereby
3 files this Complaint against Defendants INTERSTATE – RIM MANAGEMENT COMPANY,
4 LLC, a Delaware Limited Liability company operating at: DOUBLETREE SAN PEDRO;
5 INTERSTATE HOTELS & RESORTS, INC.; AIMBRIDGE HOSPITALITY, LLC, a Delaware
6 Limited Liability Company; and DOES 1-50, inclusive (collectively "Defendants") and alleges on
7 information and belief as follows:

8 **I. JURISDICTION AND VENUE**

9 1. This class action is brought pursuant to California Code of Civil Procedure §382.
10 The monetary damages and restitution sought by Plaintiff exceed the minimum jurisdiction limits
11 of the California Superior Court and will be established according to proof at trial.

12 2. This Court has jurisdiction over this action pursuant to the California Constitution
13 Article VI §10, which grants the California Superior Court original jurisdiction in all causes
14 except those given by statute to other courts. The statutes under which this action is brought do not
15 give jurisdiction to any other court.

16 3. This Court has jurisdiction over Defendants because, upon information and belief,
17 each Defendant either has sufficient minimum contacts in California, or otherwise intentionally
18 avails itself of the California market so as to render the exercise of jurisdiction over it by the
19 California Courts consistent with traditional notions of fair play and substantial justice.

20 4. The California Superior Court also has jurisdiction in this matter because the
21 individual claims of the members of the Classes herein are under the seventy-five thousand dollar
22 (\$75,000.00) jurisdictional threshold for Federal Court and the aggregate claim, including attorneys'
23 fees, is under the five million dollar (\$5,000,000.00) threshold of the Class Action Fairness Act of
24 2005. Further, there is no federal question at issue, as the issues herein are based solely on California
25 statutes and law, including the Labor Code, IWC Wage Orders, CCP, California Civil Code ("CC")
26 and B&PC.

27 5. Venue is proper in this Court because upon information and belief, one or more of
28 the Defendants, reside, transact business, or have offices in this County and/or the acts or

omissions alleged herein took place in this County.

II. PARTIES

6. Plaintiff DAVID YUREVICH JR. was, at all times relevant to this action, a resident of California. Plaintiff was employed by Defendants in approximately February 2016 as a Non-Exempt Employee with the title of Concierge and then Front Desk and worked during the liability period for Defendants until Plaintiff's separation from Defendants' employ in approximately June 2021. Plaintiff's duties included but were not limited to: providing customer service and assistance to guests, checking guests in, offering suggestions for food, administrative paperwork, cleaning rooms, and filling in where needed.

7. Defendants INTERSTATE – RIM MANAGEMENT COMPANY, LLC, a Delaware Limited Liability company operating at: DOUBLETREE SAN PEDRO, INTERSTATE HOTELS & RESORTS, INC.; and AIMBRIDGE HOSPITALITY, LLC, a Delaware Limited Liability company, operates as a hotel and hospitality business. Plaintiff estimates there are in excess of 100 Non-Exempt Employees who work or have worked for Defendants over the last year.

8. Other than identified herein, Plaintiff is unaware of the true names, capacities, relationships, and extent of participation in the conduct alleged herein, of the Defendants sued as DOES 1 through 50, but is informed and believes and thereon alleges that said defendants are legally responsible for the wrongful conduct alleged herein and therefore sues these defendants by such fictitious names. Plaintiff will amend this complaint when their true names and capacities are ascertained.

9. Plaintiff is informed and believes and thereon alleges that each defendant, directly or indirectly, or through agents or other persons, employed Plaintiff and other members of the Class, and exercised control over their wages, hours, and working conditions. Plaintiff is informed and believes and thereon alleges that each Defendant acted in all respects pertinent to this action as the agent of the other Defendants, carried out a joint scheme, business plan or policy in all respects pertinent hereto, and the acts of each Defendant are legally attributable to the other defendants.

1 **III. CLASS ACTION ALLEGATION**

2 10. Plaintiff brings this action individually and on behalf of all others similarly
3 situated as a class action pursuant to Code of Civil Procedure § 382. The members of the Class are
4 defined as follows:

5 All persons who have been employed by Defendants as Non-Exempt Employees or
6 equivalent positions, however titled, in the state of California within four (4) years from
7 the filing of the Complaint in this action until its resolution. (collectively referred to as the
8 “Class” or “Plaintiff’s Class” or “Class Members”).

9 11. Plaintiff also seeks to represent the subclass(es) composed of and defined as
10 follows:

11 **Sub-Class 1:** All Class Members who are or were employed by Defendants at any time
12 between February 2021 and the present and who received wage statements from Defendant
(hereinafter collectively referred to as the “Wage Statement Subclass”).

13 **Sub-Class 2:** All Class Members who have been employed by Defendants at any time
14 between February 2019 and the present and have separated their employment (hereinafter
collectively referred to as the “Waiting Time Penalty Subclass”).

15 **Sub-Class 3:** All Class Members who are or were employed by Defendants and incurred
16 business expenses as a result of the discharge of their duties (hereinafter collectively
referred to as the “Reimbursement Subclass”).

17 **Sub-Class 4:** All Class Members who are or were employed by Defendants and subject to
18 Defendant’s Unfair Business Practices (hereinafter collectively referred to as the “Unfair
Business Practice Subclass”).

19 12. Plaintiff reserves the right under California Rule of Court 3.765(b) and other
20 applicable laws to amend or modify the class definition with respect to issues or in any other
21 ways. Plaintiff is a member of the Class as well as each of the Sub-Classes.

22 13. The term “Class” includes Plaintiff and all members of the Class and each of the
23 Sub-Classes, if applicable. Plaintiff seeks class-wide recovery based on the allegations set forth in
24 this complaint.

25 14. There is a well-defined community of interest in the litigation and the proposed
26 Class is easily ascertainable through the records Defendants are required to keep.

27 15. Numerosity. The members of the Class are so numerous that individual joinder of
28 all of them as Plaintiff is impracticable. While the exact number of the Class members is unknown

1 to Plaintiff at this time, Plaintiff is informed and believes and thereon alleges that there are at least
2 100 (one hundred) Class members.

3 16. Commonality. Common questions of law and fact exist as to all Class members
4 and predominate over any questions that affect only individual members of the Class. These
5 common questions include, but are not limited to:

6 i. Whether Defendants failed to pay minimum wage compensation to Plaintiff
7 and Class Members for all hours worked;

8 ii. Whether Defendants failed to accurately pay overtime to Plaintiff and Class
9 Members;

10 iii. Whether Defendants failed to reimburse necessary business expense
11 pursuant to Labor Code § 2802;

12 iv. Whether Defendants provided accurate itemized wage statements pursuant
13 to Labor Code section 226;

14 v. Whether Defendants failed to pay sick time using the proper regular rate pursuant
15 to Labor Code section 246;

16 vi. Whether Defendants violated Business and Professions Code and Labor
17 Code §§ 201-203, 246, 510, 512, 558, 226, 226.3, 226.7, 246, 1174, 1174.5, 1175, 1194, 1197,
18 1197.1, 1198, 2802 and applicable IWC Wage Orders which violation constitutes a violation of
19 fundamental public policy; and

20 vii. Whether Plaintiff and the Members of the Plaintiff Class are entitled to
21 equitable relief pursuant to Business and Professions Code §§ 17200, *et. seq.*

22 viii. Whether Plaintiff and the Members of the Plaintiff Class are entitled to
23 relief in the form of back wages, penalties and interest for failure to pay minimum wages pursuant
24 to Labor Code §§ 558, 1194 and 1197.

25 17. Typicality. Plaintiff's claims herein alleged are typical of those claims which could
26 be alleged by any member of the Class and/or Subclass, and the relief sought is typical of the relief
27 which would be sought by each member of the Class and/or Subclass in separate actions. Plaintiff
28 and all members of the Class and or Subclass sustained injuries and damages arising out of and

1 caused by Defendants' common course of conduct in violation of California laws, regulations, and
2 statutes as alleged herein.

3 18. Adequacy. Plaintiff is qualified to, and will fairly and adequately protect the
4 interests of each member of the Class and/or Subclass with whom she has a well defined
5 community of interest and typicality of claims, as demonstrated herein. Plaintiff acknowledges an
6 obligation to make known to the Court any relationships, conflicts, or differences with any
7 member of the Class and/or Subclass. Plaintiff's attorneys and the proposed Counsel for the Class
8 and Subclass are versed in the rules governing class action discovery, certification, litigation, and
9 settlement and experienced in handling such matters. Other former and current employees of
10 Defendants may also serve as representatives of the Class and Subclass if needed.

11 19. Superiority. A class action is superior to other available means for the fair and
12 efficient adjudication of the claims of the Class and would be beneficial for the parties and the
13 court. Class action treatment will allow a large number of similarly situated persons to prosecute
14 their common claims in a single forum, simultaneously, efficiently, and without the unnecessary
15 duplication of effort and expense that numerous individual actions would require. The damages
16 suffered by each Class member are relatively small in the sense pertinent to class action analysis,
17 and the expense and burden of individual litigation would make it extremely difficult or
18 impossible for the individual Class Members to seek and obtain individual relief. A class action
19 will serve an important public interest by permitting such individuals to effectively pursue
20 recovery of the sums owed to them. Further, class litigation prevents the potential for inconsistent
21 or contradictory judgments raised by individual litigation.

22 20. Public Policy Considerations: Employers in the state of California violate
23 employment and labor laws every day. Current employees are often afraid to assert their rights out
24 of fear of direct or indirect retaliation. Former employees are fearful of bringing actions because
25 they believe their former employers may damage their future endeavors through negative
26 references and/or other means. The nature of this action allows for the protection of current and
27 former employees' rights without fear or retaliation or damage.

28

IV. FACTUAL ALLEGATIONS

21. At all times set forth herein, Defendants employed Plaintiff and other persons in the capacity of non-exempt positions, however titled, throughout the state of California.

22. Plaintiff is informed and believes Class Members have at all times pertinent hereto been Non-Exempt within the meaning of the California Labor Code and the implementing rules and regulations of the IWC California Wage Orders.

23. Defendants continue to employ Non-Exempt Employees, however titled, in California and implement a uniform set of policies and practices to all non-exempt employees, as they were all engaged in the generic job duties related to Defendants' hotel business.

24. Plaintiff is informed and believes, and thereon alleges, that Defendants are and were advised by skilled lawyers and other professionals, employees, and advisors with knowledge of the requirements of California's wage and employment laws.

25. Plaintiff is informed and believes that during the relevant time frame, all Class Members are citizens of the state of California.

26. On information and belief, during the relevant time frame, Plaintiff and Class Members frequently worked well over eight (8) hours in a day and forty (40) hours in a work week.

27. During the relevant time frame, Defendants compensated Plaintiff and Class Members based upon an hourly rate.

28. In addition, the Class Members frequently worked in excess of eight (8) hours a day and/or over forty (40) hours in a workweek, but were not properly paid for such time at the employee's correct rate of pay per hour for overtime.

29. Defendants also failed to properly calculate Plaintiff's and the Class Members' regular rate of pay including but not limited to by failing to include all forms of compensation/remuneration in the regular rate including but not limited to bonuses, incentives, commissions, training and orientation pay, shift differential pay, and other compensation for overtime calculation purposes.

1 30. In addition, upon information and belief, Plaintiff alleges that Defendants failed to
2 pay sick leave pay to Plaintiff and the Class Members at the proper rate, as Defendants failed to
3 factor all forms of compensation into the regular rate.

4 31. Plaintiff are informed and believe, and thereon alleges, that Defendants know,
5 should know, knew, and/or should have known that Plaintiff and the other Class Members were
6 entitled to receive premium wages based on their regular rate of pay under Labor Code §226.7 but
7 were not receiving such compensation.

8 32. On information and belief, Defendants also required Plaintiff and Class Members
9 to work off-the-clock. For instance, Plaintiff, and on information and belief Class Members, were
10 required to use their personal cell phone to communicate with the manager and general manager
11 via text message to discuss scheduling and other work-related issues. Defendants failed to include
12 off-the-clock work performed after Plaintiff and Class Members clocked out for the day. During
13 the relevant time frame, Plaintiff and Class Members were required to close the gate after clocking
14 out on a daily basis. Lastly, Defendants failed to include off-the-clock work performed by Plaintiff
15 and Class Members for the time spent cleaning the fingerprint scanner so they could accurately
16 clock-in. Often times, the fingerprint scanner used to clock-in would be dirty and fail to function
17 properly. Over time this resulted in an underpayment of minimum and overtime wages.

18 33. Defendants also failed to reimburse Plaintiff and Class Members for business
19 expenses incurred pursuant to Labor Code section 2802. For instance, Defendants did not
20 reimburse Plaintiff and Class Members for use of personal cellphones to carry out their work-
21 related duties while under the direction and control of Defendants. Plaintiff and on information
22 and belief Class Members, were required to use their personal cell phones to communicate with
23 Defendants' management. Plaintiff was forced to exchange text messages with the manager and/or
24 general manager regarding scheduling and other work related issues for approximately five to ten
25 minutes, approximately three (3) times per week. During work hours, every other day (daily
26 during COVID-19), Plaintiff would text message with his managers from approximately 5:00 p.m.
27 to 11:00 p.m. when he was left alone at the front desk. Although the front desk had a phone,
28 managers would choose to send text messages to Plaintiff's personal cell phone. Lastly, on a daily

1 basis, Plaintiff and on information and belief Class Members, would take pictures on their
2 personal cell phones of guests' rooms to assess damage or items left in the room. Defendants
3 failed to reimburse Plaintiff and Class Members for personal cell phone use.

4 34. Defendants failed to reimburse Plaintiff and Class Members for necessary business
5 expenses as it relates to the maintenance and upkeep of Defendants' uniforms pursuant to Labor
6 Code § 2802. Defendants required Plaintiff and Class Members to wear a suit as their work
7 uniform. Plaintiff was forced to purchase his suits, costing him at least \$300. Additionally,
8 Plaintiff and Class Members were responsible for the maintenance of their uniforms and were
9 required to keep them clean and in professional condition. As a result, Plaintiff and Class
10 Members would spend time regularly laundering and caring for their uniforms. However, despite
11 these realities, Defendants failed to reimburse Plaintiff and Class Members for expenses resulting
12 from maintaining their uniforms. Defendants promised Plaintiff that they would reimburse him for
13 costs relating to purchasing suits, but Defendants failed to do so. Further, Plaintiff and Class
14 Members were forced to purchase their own COVID-19 protective gear, such as masks.
15 Defendants failed to reimburse Plaintiff and Class Members for these necessary business
16 expenditures.

17 35. Defendants also failed to provide accurate, lawful itemized wage statements to
18 Plaintiff and the Class Members in part because of the above specified violations. In addition,
19 upon information and belief, Defendants omitted an accurate itemization of total hours worked,
20 including premiums due, overtime pay, gross pay and net pay figures from Plaintiff and the Class
21 Members' wage statements.

22 36. Plaintiff is informed and believes, and thereon alleges, that at all times herein
23 mentioned, Defendants knew that at the time of termination of employment (or within 72 hours
24 thereof for resignations without prior notice as the case may be) they had a duty to accurately
25 compensate Plaintiff and Class Members for all wages owed including minimum wages, meal and
26 rest period premiums, and that Defendants had the financial ability to pay such compensation, but
27 willfully, knowingly, recklessly, and/or intentionally failed to do so in part because of the above-
28 specified violations.

1 37. Upon information and belief, Defendants knew and or should have known that it is
2 improper to implement policies and commit unlawful acts such as:

- 3 (a) failing to pay overtime and minimum wages;
4 (b) failing to provide accurate itemized wage statements;
5 (c) failure to accurately pay sick pay;
6 (d) failing to timely pay Plaintiff and Class Members ;
7 (e) failure to reimburse business expenses; and
8 (f) conducting and engaging in unfair business practices.

9 38. In addition to the violations above, and on information and belief, Defendants knew
10 they had a duty to compensate Plaintiff and Class Members for the allegations asserted herein, and
11 that Defendants had the financial ability to pay such compensation, but willfully, knowingly,
12 recklessly, and/or intentionally failed to do so.

13 39. Plaintiff and Class Members they seek to represent are covered by, and Defendants
14 are required to comply with, applicable California Labor Codes, Industrial Welfare Commission
15 Occupational Wage Orders (hereinafter "IWC Wage Orders") and corresponding applicable
16 provisions of California Code of Regulations, Title 8, section 11000 *et seq.*

17 **FIRST CAUSE OF ACTION**

18 **FAILURE TO PAY WAGES INCLUDING OVERTIME**

19 **(Against All Defendants)**

20 40. Plaintiff incorporates and re-alleges each and every allegation contained above as
21 though fully set forth herein.

22 41. At all times relevant, the IWC wage orders applicable to Plaintiff's and the Class
23 require employers to pay its employees for each hour worked at least minimum wage. "Hours
24 worked" means the time during which an employee is subject to the control of an employer, and
25 includes all the time the employee is suffered or permitted to work, whether or not required to do
26 so, and in the case of an employee who is required to reside on the employment premises, that
27 time spent carrying out assigned duties shall be counted as hours worked.

28 42. At all relevant times, Labor Code §1197 provides that the minimum wage for

1 employees fixed by the IWC is the minimum wage to be paid to employees, and the payment of a
2 lesser wage than the established minimum is unlawful. Further, pursuant to the IWC Wage Order
3 and Labor Code, Plaintiff and Class Members are to be paid minimum wage for each hour
4 worked, and cannot be averaged At all times relevant, the IWC wage orders applicable to Plaintiff
5 and Class Members' employment by Defendants provided that employees working for more than
6 eight (8) hours in a day or forty (40) hours in a work week are entitled to overtime compensation
7 at the rate of one and one-half times the regular rate of pay for all hours worked in excess of eight
8 (8) hours in a day or forty (40) hours in a work week. An employee who works more than twelve
9 (12) hours in a day is entitled to overtime compensation at a rate of twice the regular rate of pay.

10 43. At all relevant times, Labor Code §1197.1 states "[a]ny employer or other persons
11 acting individually as an officer, agent, or employee of another person, who pays or causes to be
12 paid to any employee a wage less than the minimum fixed by an applicable state or local law, or
13 by an order of the commission shall be subject to a civil penalty, restitution of wages, liquidated
14 damages payable to the employee, and any applicable penalties pursuant to Section 203.

15 44. Labor Code §510 codifies the right to overtime compensation at the rate of one and
16 one-half times the regular rate of pay for all hours worked in excess of eight (8) hours in a day or
17 forty (40) hours in a work week and to overtime compensation at twice the regular rate of pay for
18 hours worked in excess of twelve (12) hours in a day or in excess of eight (8) hours in a day on the
19 seventh day of work in a particular work week.

20 45. At all times relevant, Plaintiff and Class Members regularly performed non-exempt
21 work and thus were subject to the overtime requirements of the IWC Wage Orders, CCR § 11000,
22 et. seq. and the Labor Code.

23 46. At all times relevant, Plaintiff and Class Members consistently worked in excess of
24 eight (8) hours in a day and/or forty (40) hours in a week and Defendant's failed to accurately
25 calculate overtime pay to Plaintiff and Class Members.

26 47. At all times relevant, Plaintiff and Class Members consistently worked off-the-
27 clock, for duties performed while clocked-out, resulting in an inaccurate payment of minimum and
28 overtime wages to Plaintiff and Class Members.

48. Defendants further failed to incorporate bonuses, shift differentials, and other remunerations into the employees' regular rates of pay for purposes of calculating overtime.

49. At all times relevant, Defendants have failed to accurately pay minimum and overtime owed to Plaintiff and Class Members.

50. Accordingly, Defendants owe Plaintiff and Class Members minimum and overtime wages, and have failed to pay Plaintiff and Class Members their wages owed.

51. Pursuant to Labor Code §§ 510, 558 and 1194, Plaintiff and Class Members are entitled to recover their unpaid wages and overtime compensation, as well as interest, costs, and attorneys' fees.

SECOND CAUSE OF ACTION

FAILURE TO PAY TIMELY PAY WAGES

(Against All Defendants)

52. Plaintiff incorporates and re-alleges each and every allegation contained above as though fully set forth herein.

53. Labor Code §§201-202 requires an employer who discharges an employee to pay compensation due and owing to said employee immediately upon discharge and that if an employee voluntarily leaves his or her employment, his or her wages shall become due and payable not later than seventy-two (72) hours thereafter, unless the employee has given seventy-two (72) hours previous notice of his or her intention to quit, in which case the employee is entitled to his or her wages on their last day of work.

54. Labor Code §203 provides that if an employer willfully fails to pay compensation promptly upon discharge, as required by Labor Code §§201-202, the employer is liable for waiting time penalties in the form of continued compensation for up to thirty (30) work days.

55. During the relevant time period, Defendants willfully failed and refused, and continue to willfully fail and refuse, to pay Plaintiff and Class Members their wages, earned and unpaid, either at the time of discharge, or within seventy-two (72) hours of their voluntarily leaving Defendants' employ. These wages include regular and overtime.

56. As a result, Defendants are liable to Plaintiff and members of the Non-Exempt

1 Production Employee class for waiting time penalties pursuant to Labor Code §203, in an amount
2 according to proof at the time of trial.

3 **THIRD CAUSE OF ACTION**

4 **FAILURE TO PROVIDE ACCURATE ITEMIZED WAGE STATEMENTS**

5 **(Against All Defendants)**

6 57. Plaintiff incorporates and re-alleges each and every allegation contained above as
7 though fully set forth herein.

8 58. Section 226(a) states that An employer, semimonthly or at the time of each
9 payment of wages, shall furnish to his or her employee, either as a detachable part of the check,
10 draft, or voucher paying the employee's wages, or separately if wages are paid by personal check
11 or cash, an accurate itemized statement in writing showing (1) gross wages earned, (2) total hours
12 worked by the employee, except as provided in subdivision (j), (3) the number of piece-rate units
13 earned and any applicable piece rate if the employee is paid on a piece-rate basis, (4) all
14 deductions, provided that all deductions made on written orders of the employee may be
15 aggregated and shown as one item, (5) net wages earned, (6) the inclusive dates of the period for
16 which the employee is paid, (7) the name of the employee and only the last four digits of his or her
17 social security number or an employee identification number other than a social security number,
18 (8) the name and address of the legal entity that is the employer.

19 59. Section 226(a) of the California Labor Code requires Defendants to itemize in wage
20 statements all deductions from payment of wages and to accurately report total hours worked by
21 Plaintiff and the Class including applicable hourly rates among other things. Defendants have
22 knowingly and intentionally failed to comply with Labor Code section 226 and 204 on wage
23 statements that have been provided to Plaintiff and the Class.

24 60. IWC Wage Orders require Defendants to maintain time records showing, among
25 others, when the employee begins and ends each work period, meal periods, split shift intervals
26 and total daily hours worked in an itemized wage statement, and must show all deductions and
27 reimbursements from payment of wages, and accurately report total hours worked by Plaintiff and
28 the Class. On information and belief, Defendants have failed to record all or some of the items

1 delineated in Industrial Wage Orders and Labor Code §226.

2 61. Defendants have failed to accurately record all time worked.

3 62. Defendants have also failed to accurately record the meal and rest period premiums
4 owed and all wages owed per pay period.

5 63. Plaintiff and the Class have been injured as they were unable to determine whether
6 they had been paid correctly for all hours worked per pay period among other things.

7 64. Pursuant to Labor Code section 226, Plaintiff and the Class are entitled up to a
8 maximum of \$4,000 each for record keeping violations.

9 65. Pursuant to Labor Code section 226.3, any employer who violates subdivision (a)
10 of Section 226 shall be subject to a civil penalty in the amount of two hundred fifty dollars (\$250)
11 per employee per violation in an initial citation and one thousand dollars (\$1,000) per employee
12 for each violation in a subsequent citation, for which the employer fails to provide the employee a
13 wage deduction statement or fails to keep the records required in subdivision (a) of Section 226.

14 **FOURTH CAUSE OF ACTION**

15 **FAILURE TO ACCURATELY RECORD AND PAY SICK LEAVE**

16 **(Against All Defendants)**

17 66. Plaintiff incorporates and re-alleges each and every allegation contained above as
18 though fully set forth herein.

19 67. Labor Code Section 246(i) provides that: "an employer shall provide an employee
20 with written notice that sets forth the amount of paid sick leave available, or paid time off leave an
21 employer provides in lieu of sick leave, for use on either the employee's itemized wage statement
22 described in Section 226 or in a separate writing provided on the designated pay date with the
23 employee's payment of wages. If an employer provides unlimited paid sick leave or unlimited
24 paid time off to an employee, the employer may satisfy this section by indicating on the notice or
25 the employee's itemized wage statement 'unlimited.' The penalties described in this article for a
26 violation of this subdivision shall be in lieu of the penalties for a violation of Section 226."

27 68. Labor Code § 246 provides that the employer shall calculate paid sick leave by
28 using one of two calculations: (1) "Paid sick time for nonexempt employees shall be calculated in

1 the same manner as the regular rate of pay for the workweek in which the employee uses paid sick
2 time, whether or not the employee actually works overtime in that workweek;" or (2) "Paid sick
3 time for nonexempt employees shall be calculated by dividing the employee's total wages, not
4 including overtime premium pay, by the employee's total hours worked in the full pay periods of
5 the prior 90 days of employment."

6 69. Whenever Defendants paid Plaintiff and Class Members sick time pursuant to
7 California Labor Code § 246, Defendant did so at the incorrect rate of pay. Defendants paid
8 Plaintiff and the Class Members at the incorrect rate of pay and/or base hourly rate of pay, as
9 opposed to the regular rate of pay, which would take into account all night premiums and/or shift
10 differentials, or by dividing the employees' total wages, not including overtime premium pay, by
11 the employees' total hours worked in the full pay periods of the prior 90 days of employment, as
12 required by Labor Code § 246. This resulted in the employees being underpaid for sick time, and
13 resulted in violations of California Labor Code §§ 201, 202, and 203, and other derivative Labor
14 Code violations, because Defendant did not pay, or timely pay, Plaintiff and the unpaid wages for
15 work performed by them during their employment and at the end of their employment.

16 70. As a result of the unlawful acts of Defendant, Plaintiff and Class Members have
17 been deprived of sick pay in amounts to be determined at trial, and are entitled to the recovery of
18 such amounts, plus interest and penalties thereon, attorneys' fees, and costs.

19 **FIFTH CAUSE OF ACTION**

20 **FAILURE TO INDEMNIFY NECESSARY BUSINESS EXPENSES**

21 **(Against All Defendants)**

22 71. Plaintiff incorporates and re-alleges each and every allegation contained above as
23 though fully set forth herein.

24 72. Labor Code § 2802 requires Defendants to indemnify Plaintiff and Class Members
25 for necessary expenditures incurred in direct consequences of the discharge of his or her duties. As
26 a necessary part of employment, Plaintiff and on information and belief Class Members, were not
27 adequately reimbursed by Defendants for expenses related to all expenses incurred as a result of
28 their personal cellphone usage and personal funds usage as described above, which was incurred

1 as a direct consequence of the discharge of duties by Plaintiff and Class Members. Despite these
2 realities of the job, Defendants failed to provide reimbursements.

3 73. Labor Code §2804 states in pertinent part: "Any contract or agreement, express or
4 implied, made by any employee to waive the benefits of this article or any part thereof is null and
5 void, and this article shall not deprive any employee or his or her personal representative of any
6 right or remedy to which he is entitled under the laws of this State.

7 74. As a result of the unlawful acts of Defendants, Plaintiff and the Class Members
8 have been deprived of un-reimbursed expense amounts to be determined at trial, and are entitled to
9 the recovery of such amounts, plus interest and penalties thereon, attorneys' fees, and costs,
10 pursuant to Labor Code § 2802.

11 **SIXTH CAUSE OF ACTION**

12 **VIOLATION OF BUSINESS & PROFESSIONS CODE § 17200, et.seq.**

13 **(Against All Defendants)**

14 75. Plaintiff incorporates and re-alleges each and every allegation contained above as
15 though fully set forth herein.

16 76. Defendants' conduct, as alleged in this complaint, has been, and continues to be,
17 unfair, unlawful, and harmful to Plaintiff and Class Members, Defendants' competitors, and the
18 general public. Plaintiff seeks to enforce important rights affecting the public interest within the
19 meaning of the California Code of Civil Procedure §1021.5.

20 77. Defendants' policies, activities, and actions as alleged herein, are violations of
21 California law and constitute unlawful business acts and practices in violation of California
22 Business and Professions Code §§17200, et seq.

23 78. A violation of California Business and Professions Code §§17200, et seq., may be
24 predicated on the violation of any state or federal law. Defendants' policy of failing to accurately
25 pay overtime, failing to pay minimum wages, failing to reimburse expenses, failing to provide
26 accurate itemized wage statements and failing to accurately pay Plaintiff and Class Members sick
27 pay, violates Labor Code § 226, §246, §512, § 226.7, § 246, § 1194, § 2802, and applicable IWC
28 Wage Orders and California Code of Regulations.

79. Plaintiff and Class Members have been personally aggrieved by Defendants' unlawful and unfair business acts and practices alleged herein by the loss of money and/or property.

80. Pursuant to California Business and Professions Code §§17200, et seq., Plaintiff and Class Members are entitled to restitution of the wages withheld and retained by Defendants during a period that commences four (4) years prior to the filing of this complaint; an award of attorneys' fees, interest; and an award of costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, as follows:

Class Certification

1. That this action be certified as a class action;
2. That Plaintiff be appointed as the representative of the Class;
3. That Plaintiff be appointed as the representative of the Subclass; and
4. That counsel for Plaintiff is appointed as counsel for the Class and Subclass.

On the First Cause of Action

1. For compensatory damages equal to the unpaid balance of minimum wage compensation and overtime owed to Plaintiff and Class members as well as interest and costs;
2. For reasonable attorneys' fees and costs pursuant to Labor Code §§ 510, and 1194;
3. For liquidated damages in an amount equal to the wages unlawfully unpaid and interest thereon pursuant to Labor Code §§ 1194.2, 558;
4. For such other and further relief as the Court deems proper.

On the Second Cause of Action

1. For statutory penalties pursuant to Labor Code §203;
2. For interest for wages untimely paid; and
3. For such other and further relief as the Court deems proper.

On the Third Cause of Action

1. For statutory penalties pursuant to Labor Code §226;
2. For interest for wages untimely paid;

3. For penalties pursuant to Labor Code §266.3; and
4. For such other and further relief as the Court deems proper.

On the Fourth Cause of Action

1. For unpaid sick leave;
2. For penalties pursuant to Labor Code § 203;
3. For interest;
4. For reasonable attorneys' fees and costs pursuant to statute; and
5. For such other and further relief as the Court deems proper

On the Fifth Cause of Action

1. For statutory penalties pursuant to Labor Code §2802;
2. For interest for wages untimely paid; and
3. For such other and further relief as the Court deems proper.

On the Sixth Cause of Action

1. That Defendants, jointly and/or severally, pay restitution of sums to Plaintiff and Class Members for their past failure to accurately pay overtime, failing to pay minimum wages, failing to reimburse expenses, failing to accurately pay sick leave, failing to provide accurate itemized wage statements;
2. For pre-judgment interest on any unpaid wages due from the day that such amounts were due;
3. For reasonable attorneys' fees that Plaintiff and Class Members are entitled to recover;
4. For costs of suit incurred herein; and
5. For such other and further relief as the Court deems proper.

DEMAND FOR JURY TRIAL

Plaintiff and members of the Class and Subclass request a jury trial in this matter.

Dated: February 28, 2022

JAMES HAWKINS APLC

By: 

JAMES R. HAWKINS, ESQ.

GREGORY MAURO, ESQ.

MICHAEL CALVO, ESQ.

LAUREN FALK, ESQ.

AVA ISSARY, ESQ.

Attorneys for Plaintiff DAVID YUREVICH
JR. individually and on behalf of all others
similarly situated.

<p align="center">SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</p>		<p align="center">Reserved for Clerk's File Stamp</p>
<p>COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012</p>		<p align="center">FILED Superior Court of California County of Los Angeles 02/28/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>J. Covarrubias</u> Deputy</p>
<p align="center">NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE</p>		
<p>Your case is assigned for all purposes to the judicial officer indicated below.</p>		<p>CASE NUMBER: 22STCV07221</p>

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
✓ Kenneth R. Freeman	14				

Given to the Plaintiff/Cross-Complainant/Attorney of Record Sherri R. Carter, Executive Officer / Clerk of Court
on 03/01/2022 (Date) By J. Covarrubias, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

***Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

FILED
Superior Court of California
County of Los Angeles

MAY 03 2019

Sherri R. Carter, Executive Officer/Clerk
By Rizalinda Mina, Deputy
Rizalinda Mina

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

IN RE LOS ANGELES SUPERIOR COURT) FIRST AMENDED GENERAL ORDER
— MANDATORY ELECTRONIC FILING)
FOR CIVIL)
)
)
)
)

On December 3, 2018, the Los Angeles County Superior Court mandated electronic filing of all documents in Limited Civil cases by litigants represented by attorneys. On January 2, 2019, the Los Angeles County Superior Court mandated electronic filing of all documents filed in Non-Complex Unlimited Civil cases by litigants represented by attorneys. (California Rules of Court, rule 2.253(b).) All electronically filed documents in Limited and Non-Complex Unlimited cases are subject to the following:

1) DEFINITIONS

- a) **"Bookmark"** A bookmark is a PDF document navigational tool that allows the reader to quickly locate and navigate to a designated point of interest within a document.
- b) **"Efiling Portal"** The official court website includes a webpage, referred to as the efiling portal, that gives litigants access to the approved Electronic Filing Service Providers.
- c) **"Electronic Envelope"** A transaction through the electronic service provider for submission of documents to the Court for processing which may contain one or more PDF documents attached.
- d) **"Electronic Filing"** Electronic Filing (eFiling) is the electronic transmission to a Court of a document in electronic form. (California Rules of Court, rule 2.250(b)(7).)

1 e) **“Electronic Filing Service Provider”** An Electronic Filing Service Provider (EFSP) is a
2 person or entity that receives an electronic filing from a party for retransmission to the Court.
3 In the submission of filings, the EFSP does so on behalf of the electronic filer and not as an
4 agent of the Court. (California Rules of Court, rule 2.250(b)(8).)

5 f) **“Electronic Signature”** For purposes of these local rules and in conformity with Code of
6 Civil Procedure section 17, subdivision (b)(3), section 34, and section 1010.6, subdivision
7 (b)(2), Government Code section 68150, subdivision (g), and California Rules of Court, rule
8 2.257, the term “Electronic Signature” is generally defined as an electronic sound, symbol, or
9 process attached to or logically associated with an electronic record and executed or adopted
10 by a person with the intent to sign the electronic record.

11 g) **“Hyperlink”** An electronic link providing direct access from one distinctively marked place
12 in a hypertext or hypermedia document to another in the same or different document.

13 h) **“Portable Document Format”** A digital document format that preserves all fonts,
14 formatting, colors and graphics of the original source document, regardless of the application
15 platform used.

16 2) **MANDATORY ELECTRONIC FILING**

17 a) **Trial Court Records**

18 Pursuant to Government Code section 68150, trial court records may be created, maintained,
19 and preserved in electronic format. Any document that the Court receives electronically must
20 be clerically processed and must satisfy all legal filing requirements in order to be filed as an
21 official court record (California Rules of Court, rules 2.100, et seq. and 2.253(b)(6)).

22 b) **Represented Litigants**

23 Pursuant to California Rules of Court, rule 2.253(b), represented litigants are required to
24 electronically file documents with the Court through an approved EFSP.

25 c) **Public Notice**

26 The Court has issued a Public Notice with effective dates the Court required parties to
27 electronically file documents through one or more approved EFSPs. Public Notices containing
28 effective dates and the list of EFSPs are available on the Court’s website, at www.lacourt.org.

d) Documents in Related Cases

Documents in related cases must be electronically filed in the eFiling portal for that case type if electronic filing has been implemented in that case type, regardless of whether the case has been related to a Civil case.

3) EXEMPT LITIGANTS

a) Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt from mandatory electronic filing requirements.

b) Pursuant to Code of Civil Procedure section 1010.6, subdivision (d)(3) and California Rules of Court, rule 2.253(b)(4), any party may make application to the Court requesting to be excused from filing documents electronically and be permitted to file documents by conventional means if the party shows undue hardship or significant prejudice.

4) EXEMPT FILINGS

a) The following documents shall not be filed electronically:

- i) Peremptory Challenges or Challenges for Cause of a Judicial Officer pursuant to Code of Civil Procedure sections 170.6 or 170.3;
- ii) Bonds/Undertaking documents;
- iii) Trial and Evidentiary Hearing Exhibits
- iv) Any ex parte application that is filed concurrently with a new complaint including those that will be handled by a Writs and Receivers department in the Mosk courthouse; and
- v) Documents submitted conditionally under seal. The actual motion or application shall be electronically filed. A courtesy copy of the electronically filed motion or application to submit documents conditionally under seal must be provided with the documents submitted conditionally under seal.

b) Lodgments

Documents attached to a Notice of Lodgment shall be lodged and/or served conventionally in paper form. The actual document entitled, "Notice of Lodgment," shall be filed electronically.

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1 5) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

2 Electronic filing service providers must obtain and manage registration information for persons
3 and entities electronically filing with the court.

4 6) TECHNICAL REQUIREMENTS

5 a) Electronic documents must be electronically filed in PDF, text searchable format **when**
6 technologically feasible without impairment of the document's image.

7 b) The table of contents for any filing must be bookmarked.

8 c) Electronic documents, including but not limited to, declarations, proofs of service, and
9 exhibits, must be bookmarked within the document pursuant to California Rules of Court, rule
10 3.1110(f)(4). Electronic bookmarks must include links to the first page of each bookmarked
11 item (e.g. exhibits, declarations, deposition excerpts) and with bookmark titles that identify the
12 bookedmarked item and briefly describe the item.

13 d) Attachments to primary documents must be bookmarked. Examples include, but are not
14 limited to, the following:

15 i) Depositions;

16 ii) Declarations;

17 iii) Exhibits (including exhibits to declarations);

18 iv) Transcripts (including excerpts within transcripts);

19 v) Points and Authorities;

20 vi) Citations; and

21 vii) Supporting Briefs.

22 e) Use of hyperlinks within documents (including attachments and exhibits) is strongly
23 encouraged.

24 f) Accompanying Documents

25 Each document accompanying a single pleading must be electronically filed as a **separate**
26 digital PDF document.

27 g) Multiple Documents

28 Multiple documents relating to one case can be uploaded in one envelope transaction.

h) Writs and Abstracts

Writs and Abstracts must be submitted as a separate electronic envelope.

i) Sealed Documents

If and when a judicial officer orders documents to be filed under seal, those documents must be filed electronically (unless exempted under paragraph 4); the burden of accurately designating the documents as sealed at the time of electronic submission is the submitting party's responsibility.

j) Redaction

Pursuant to California Rules of Court, rule 1.201, it is the submitting party's responsibility to redact confidential information (such as using initials for names of minors, using the last four digits of a social security number, and using the year for date of birth) so that the information shall not be publicly displayed.

7) ELECTRONIC FILING SCHEDULE

a) Filed Date

i) Any document received electronically by the court between 12:00 am and 11:59:59 pm shall be deemed to have been effectively filed on that court day if accepted for filing. Any document received electronically on a non-court day, is deemed to have been effectively filed on the next court day if accepted. (California Rules of Court, rule 2.253(b)(6); Code Civ. Proc. § 1010.6(b)(3).)

ii) Notwithstanding any other provision of this order, if a digital document is not filed in due course because of: (1) an interruption in service; (2) a transmission error that is not the fault of the transmitter; or (3) a processing failure that occurs after receipt, the Court may order, either on its own motion or by noticed motion submitted with a declaration for Court consideration, that the document be deemed filed and/or that the document's filing date conform to the attempted transmission date.

8) EX PARTE APPLICATIONS

a) Ex parte applications and all documents in support thereof must be electronically filed no later than 10:00 a.m. the court day before the ex parte hearing.

b) Any written opposition to an ex parte application must be electronically filed by 8:30 a.m. the day of the ex parte hearing. A printed courtesy copy of any opposition to an ex parte application must be provided to the court the day of the ex parte hearing.

9) PRINTED COURTESY COPIES

a) For any filing electronically filed two or fewer days before the hearing, a courtesy copy must be delivered to the courtroom by 4:30 p.m. the same business day the document is efiled. If the efiled is submitted after 4:30 p.m., the courtesy copy must be delivered to the courtroom by 10:00 a.m. the next business day.

b) Regardless of the time of electronic filing, a printed courtesy copy (along with proof of electronic submission) is required for the following documents:

- i) Any printed document required pursuant to a Standing or General Order;
- ii) Pleadings and motions (including attachments such as declarations and exhibits) of 26 pages or more;
- iii) Pleadings and motions that include points and authorities;
- iv) Demurrers;
- v) Anti-SLAPP filings, pursuant to Code of Civil Procedure section 425.16;
- vi) Motions for Summary Judgment/Adjudication; and
- vii) Motions to Compel Further Discovery.

c) Nothing in this General Order precludes a Judicial Officer from requesting a courtesy copy of additional documents. Courtroom specific courtesy copy guidelines can be found at www.lacourt.org on the Civil webpage under "Courtroom Information."

10) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

a) Fees and costs associated with electronic filing must be waived for any litigant who has received a fee waiver. (California Rules of Court, rules 2.253(b)(1), 2.258(b), Code Civ. Proc. § 1010.6(d)(2).)

b) Fee waiver applications for waiver of court fees and costs pursuant to Code of Civil Procedure section 1010.6, subdivision (b)(6), and California Rules of Court, rule 2.252(f), may be electronically filed in any authorized action or proceeding.

11) SIGNATURES ON ELECTRONIC FILING

For purposes of this General Order, all electronic filings must be in compliance with California Rules of Court, rule 2.257. This General Order applies to documents filed within the Civil Division of the Los Angeles County Superior Court.

This First Amended General Order supersedes any previous order related to electronic filing, and is effective immediately, and is to remain in effect until otherwise ordered by the Civil Supervising Judge and/or Presiding Judge.

DATED: May 3, 2019



Kevin C. Brazile
KEVIN C. BRAZILE
Presiding Judge

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman

CSR: None

Judicial Assistant: B. Guerrero

ERM: None

Courtroom Assistant: C. Gomez

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Court Order Regarding Newly Filed Class Action;

By this order, the Court determines this case to be Complex according to Rule 3.400 of the California Rules of Court. The Clerk's Office has assigned this case to this department for all purposes.

Pursuant to Government Code Sections 70616(a) and 70616(b), a single complex fee of one thousand dollars (\$1,000.00) must be paid on behalf of all plaintiffs. For defendants, a complex fee of one thousand dollars (\$1,000.00) must be paid for each defendant, intervenor, respondent or adverse party, not to exceed, for each separate case number, a total of eighteen thousand dollars (\$18,000.00), collected from all defendants, intervenors, respondents, or adverse parties. All such fees are ordered to be paid to Los Angeles Superior Court, within ten (10) days of service of this order.

By this order, the Court stays the case, except for service of the Summons and Complaint. The stay continues at least until the Initial Status Conference. Initial Status Conference is set for 06/03/2022 at 10:00 AM in this department. At least ten (10) days prior to the Initial Status Conference, counsel for all parties must discuss the issues set forth in the Initial Status Conference Order issued this date. Counsel must file a Joint Initial Status Conference Response Statement five (5) court days before the Initial Status Conference.

The Initial Status Conference Order, served concurrently with this Minute Order, is to help the Court and the parties manage this complex case by developing an orderly schedule for briefing, discovery, and court hearings. The parties are informally encouraged to exchange documents and information as may be useful for case evaluation.

Responsive pleadings shall not be filed until further Order of the Court. Parties must file a Notice of Appearance in lieu of an Answer or other responsive pleading. The filing of a Notice of

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman

CSR: None

Judicial Assistant: B. Guerrero

ERM: None

Courtroom Assistant: C. Gomez

Deputy Sheriff: None

Appearance shall not constitute a waiver of any substantive or procedural challenge to the Complaint. Nothing in this order stays the time for filing an Affidavit of Prejudice pursuant to Code of Civil Procedure Section 170.6. Nothing in this order stays the filing of an Amended Complaint pursuant to Labor Code Section 2699.3(a)(2)(C) by a plaintiff wishing to add a Private Attorney General Act ("PAGA") claim.

For information on electronic filing in the Complex Courts, please refer to <https://www.lacourt.org/division/efiling/efiling2.aspx#civil>. See, in particular, the link therein for "Complex Civil efiling." Parties shall file all documents in conformity with the Presiding Judge's First Amended General Order of May 3, 2019, particularly including the provisions therein requiring Bookmarking with links to primary documents and citations; that Order is available on the Court's website at the link shown above.

For efficiency in communication with counsel, the complex program requires the parties in every new case to use an approved third-party cloud service that provides an electronic message board. In order to facilitate communication with counsel prior to the Initial Status Conference, the parties must sign-up with the e-service provider at least ten (10) court days in advance of the Initial Status Conference and advise the Court which provider was selected.

The court has implemented LACourtConnect to allow attorneys, self-represented litigants and parties to make audio or video appearances in Los Angeles County courtrooms. LACourtConnect technology provides a secure, safe and convenient way to attend hearings remotely. A key element of the Court's Access LACourt YOUR WAY program to provide services and access to justice, LACourtConnect is intended to enhance social distancing and change the traditional in-person courtroom appearance model. See <https://my.lacourt.org/laccwelcome> for more information.

This Complex Courtroom does not use Los Angeles Superior Court's Court Reservation ("CRS") portal to reserve motion hearing dates. Rather, counsel may secure dates by calling the Courtroom Assistant at 213-310-70xx with the "xx" being the Department number, e.g. Dept. 1 is 01 and Dept. 10 is 10.

Court reporters are not provided for hearings or trials. The parties should make their own arrangements for any hearing where a transcript is desired.

If you believe a party or witness will need an interpreter, see the court's website for information on how to make such a request in a timely manner. <https://www.lacourt.org/irud/UI/index.aspx>

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman

CSR: None

Judicial Assistant: B. Guerrero

ERM: None

Courtroom Assistant: C. Gomez

Deputy Sheriff: None

Counsel are directed to access the following link for further information on procedures in the Complex litigation Program courtrooms: <https://www.lacourt.org/division/civil/CI0042.aspx>.

The plaintiff must serve a copy of this minute order and the attached Initial Status Conference Order on all parties forthwith and file a Proof of Service in this department within seven (7) days of service.

Certificate of Mailing is attached.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012	FILED Superior Court of California County of Los Angeles 03/14/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>B. Guerrero</u> Deputy
PLAINTIFF/PETITIONER: DAVID YUREVICH JR.	
DEFENDANT/RESPONDENT: Interstate-Rim Management Company, LLC et al	
CERTIFICATE OF MAILING	CASE NUMBER: 22STCV07221

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Regarding Newly Filed Class Action;) of 03/14/2022, Initial Status Conference Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

James R. Hawkins
James Hawkins APLC
9880 Research Drive, Suite 200
Irvine, CA 92618

Sherri R. Carter, Executive Officer / Clerk of Court

Dated: 03/15/2022

By: B. Guerrero
Deputy Clerk



Superior Court of California, County of Los Angeles

ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS-COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control** (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

Main Types of ADR

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

Mediation may be appropriate when the parties

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

Mediation may not be appropriate when the parties

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

How to Arrange Mediation in Los Angeles County

Mediation for civil cases is voluntary and parties may select any mediator they wish. Options include:

a. **The Civil Mediation Vendor Resource List**

If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Case Manager Elizabeth Sanchez, elizabeth@adrservices.com (949) 863-9800
- **JAMS, Inc.** Assistant Manager Reggie Joseph, RJoseph@jamsadr.com (310) 309-6209
- **Mediation Center of Los Angeles** Program Manager info@mediationLA.org (833) 476-9145

These organizations cannot accept every case and they may decline cases at their discretion. They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at www.lacourt.org/ADR.Res.List

NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate or small claims cases.

b. **Los Angeles County Dispute Resolution Programs**

<https://hrc.lacounty.gov/wp-content/uploads/2020/05/DRP-Fact-Sheet-23October19-Current-as-of-October-2019-1.pdf>

Day of trial mediation programs have been paused until further notice.

Online Dispute Resolution (ODR). Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case.

c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.

3. Arbitration: Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <http://www.courts.ca.gov/programs-adr.htm>

4. Mandatory Settlement Conferences (MSC): MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit <http://www.lacourt.org/division/civil/C10047.aspx>

Los Angeles Superior Court ADR website: <http://www.lacourt.org/division/civil/C10109.aspx>
For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAR 14 2022

Sherri R. Carter, Executive Officer/Clerk of Court
By: Berta Guerrero, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CENTRAL DISTRICT

DAVID YUREVICH JR

Plaintiff,

vs.

INTERSTATE-RIM MANAGEMENT
COMPANY, et al
Defendants.

Case No. 22STCV07221

INITIAL STATUS CONFERENCE ORDER
(COMPLEX LITIGATION PROGRAM)

Case Assigned for All Purposes to
Judge Kenneth R. Freeman

Department: 14

Date: June 3, 2022

Time: 10:00 a.m.

Due to the pandemic and the urgent need to avoid court appearances, the parties MUST sign up with an e- service provider at least ten court days in advance of the Initial Status Conference and advise the Court, via email to sscdept14@lacourt.org, which provider was selected.

This case has been assigned for all purposes to Judge Kenneth R. Freeman in the Complex Litigation Program. An Initial Status Conference is set for **June 3, 2022, at 10:00 a.m., in Department 14** located in the **Spring Street Courthouse**, at United States District Court, at 312 N. Spring Street, Los Angeles, California 90012. Counsel for all the parties are ordered to attend.

The Court orders counsel to prepare for the Initial Status Conference by identifying and discussing the central legal and factual issues in the case. Counsel for plaintiff is ordered to

1 initiate contact with counsel for defense to begin this process. Counsel then must negotiate and
2 agree, as possible, on a case management plan. To this end, counsel must file a Joint Initial Status
3 Conference Class Action Response Statement ten (10) court days (**June 3, 2022 and provide a**
4 **conformed courtesy copy DIRECTLY in Department 14**) before the Initial Status Conference.

5 The Joint Response Statement must be filed on line-numbered pleading paper and must
6 specifically answer each of the below-numbered questions. Do not the use the Judicial Council
7 Form CM-110 (Case Management Statement) for this purpose.
8

9 **1. PARTIES AND COUNSEL:** Please list all presently-named class representatives and
10 presently-named defendants, together with all counsel of record, including counsel's contact and
11 email information.

12 **2. POTENTIAL ADDITIONAL PARTIES:** Does any plaintiff presently intend to add
13 more class representatives? If so, and if known, by what date and by what name? Does any
14 plaintiff presently intend to name more defendants? If so, and if known, by what date and by what
15 name? Does any appearing defendant presently intend to file a cross-complaint? If so, who will
16 be named.
17

18 **3. IMPROPERLY NAMED DEFENDANT(S):** If the complaint names the wrong
19 person or entity, please explain.

20 **4. ADEQUACY OF PROPOSED CLASS REPRESENTATIVE(S):** If any party
21 believes one or more named plaintiffs might not be an adequate class representative, please
22 explain. No prejudice will attach to these responses.
23

24 **5. ESTIMATED CLASS SIZE:** Please discuss and indicate the estimated class size.

25 **6. OTHER ACTIONS WITH OVERLAPPING CLASS DEFINITIONS:** Please list
26 other cases with overlapping class definitions. Please identify the court, the short caption title, the
27 docket number, and the case status.
28

7. POTENTIALLY RELEVANT ARBITRATION AND/OR CLASS ACTION

WAIVER CLAUSES: Please include a sample of any clause of this sort. Opposing parties must summarize their views on this issue.

8. POTENTIAL EARLY CRUCIAL MOTIONS: Opposing counsel are to identify and describe the significant core issues in the case. Counsel then are to identify efficient ways to resolve those issues. The vehicles include:

- Early motions in limine,
- Early motions about particular jury instructions,
- Demurrers,
- Motions to strike,
- Motions for judgment on the pleadings, and
- Motions for summary judgment and summary adjudication.

9. CLASS CONTACT INFORMATION: Does plaintiff need class contact information from the defendant's records? If so, do the parties consent to an "opt-out" notice process (as approved in *Belaire-West Landscape, Inc. v. Superior Court* (2007) 149 Cal.App.4th 554, 561) to precede defense delivery of this information to plaintiff's counsel? If the parties agree on the notice process, who should pay for it? Should there be a third-party administrator?

10. PROTECTIVE ORDERS: Parties considering an order to protect confidential information from general disclosure should begin with the model protective orders found on the Los Angeles Superior Court Website under "Civil Tools for Litigators."

11. DISCOVERY: Please discuss discovery. Do the parties agree on a plan? If not, can the parties negotiate a compromise? At minimum, please summarize each side's views on discovery. The Court generally allows discovery on matters relevant to class certification, which (depending on circumstances) may include factual issues also touching the merits. The Court

1 generally does not permit extensive or expensive discovery relevant only to the merits (for
2 example, detailed damages discovery) unless a persuasive showing establishes early need. If any
3 party seeks discovery from absent class members, please estimate how many, and also state the
4 kind of discovery you propose¹.

5 **12. INSURANCE COVERAGE:** Please state if there is insurance for indemnity or
6 reimbursement.

7 **13. ALTERNATIVE DISPUTE RESOLUTION:** Please discuss ADR and state each
8 party's position about it. If pertinent, how can the Court help identify the correct neutral and
9 prepare the case for a successful settlement negotiation?
10

11 **14. TIMELINE FOR CASE MANAGEMENT:** Please recommend dates and times for
12 the following:

- 13 ■ The next status conference,
- 14 ■ A schedule for alternative dispute resolution, if it is relevant,
- 15 ■ A filing deadline for the motion for class certification, and
- 16 ■ Filing deadlines and descriptions for other anticipated non-discovery motions.

17 **15. ELECTRONIC SERVICE OF PAPERS:** For efficiency the complex program
18 requires the parties in every new case to use a third-party cloud service. While the parties are free
19 to choose one of the services shown below, this Court (Department 14) prefers that the parties
20 select:
21

- 22 ■ Case Anywhere (<http://www.caseanywhere.com>).

23 The parties are not required to select Case Anywhere, but may chose instead either

- 24 ■ File & Serve Xpress (<https://secure.fileandservexpress.com>) or

25
26
27 ¹ See California Rule of Court, Rule 3.768.
28

1 ■ CaseHomePage (<http://www.casehomepage.com>).

2 Please agree on one and submit the parties' choice when filing the Joint Initial Status
3 Conference Class Action Response Statement. If there is agreement, please identify the vendor. If
4 parties cannot agree, the Court will select the vendor at the Initial Status Conference. Electronic
5 service is not the same as electronic filing. Only traditional methods of filing by physical delivery
6 of original papers or by fax filing are presently acceptable.

7 **Reminder When Seeking To Dismiss Or To Obtain Settlement Approval:**

8
9 "A dismissal of an entire class action, or of any party or cause of action in a class action,
10 requires Court approval . . . Requests for dismissal must be accompanied by a declaration setting
11 forth the facts on which the party relies. The declaration must clearly state whether consideration,
12 direct or indirect, is being given for the dismissal and must describe the consideration in detail."²
13 If the parties have settled the class action, that too will require judicial approval based on a noticed
14 motion (although it may be possible to shorten time by consent for good cause shown).

15
16 Pending further order of this Court, and except as otherwise provided in this Initial Status
17 Conference Order, these proceedings are stayed in their entirety. This stay shall preclude the filing
18 of any answer, demurrer, motion to strike, or motions challenging the jurisdiction of the Court.
19 However, any defendant may file a Notice of Appearance for purposes of identification of counsel
20 and preparation of a service list. The filing of such a Notice of Appearance shall be without
21 prejudice to any challenge to the jurisdiction of the Court, substantive or procedural challenges to
22 the Complaint, without prejudice to any affirmative defense, and without prejudice to the filing of
23 any cross-complaint in this action. This stay is issued to assist the Court and the parties in
24 managing this "complex" case through the development of an orderly schedule for briefing and
25

26
27 ² California Rule of Court, Rule 3.770(a)
28

1 hearings on procedural and substantive challenges to the complaint and other issues that may
2 assist in the orderly management of these cases. This stay shall not preclude the parties from
3 informally exchanging documents that may assist in their initial evaluation of the issues presented
4 in this case, however shall stay all outstanding discovery requests.

5 Plaintiff's counsel is directed to serve a copy of this Initial Status Conference Order on
6 counsel for all parties, or if counsel has not been identified, on all parties, within five (5) days of
7 service of this order. If any defendant has not been served in this action, service is to be completed
8 within twenty (20) days of the date of this order.
9

10 Dated: 3-14-2022

11
12 KENNETH R. FREEMAN

13 _____
14 Judge Kenneth R. Freeman
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SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse. 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 03/14/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>B. Guerrero</u> Deputy
PLAINTIFF/PETITIONER: DAVID YUREVICH JR.		
DEFENDANT/RESPONDENT: Interstate-Rim Management Company, LLC et al		
CERTIFICATE OF MAILING		CASE NUMBER: 22STCV07221

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Regarding Newly Filed Class Action;) of 03/14/2022, Initial Status Conference Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

James R. Hawkins
James Hawkins APLC
9880 Research Drive, Suite 200
Irvine, CA 92618

Sherri R. Carter, Executive Officer / Clerk of Court

Dated: 03/15/2022

By: B. Guerrero
Deputy Clerk

VOLUNTARY EFFICIENT LITIGATION STIPULATIONS



Superior Court of California
County of Los Angeles

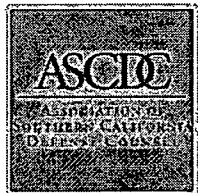


Los Angeles County
Bar Association
Litigation Section

Los Angeles County
Bar Association Labor and
Employment Law Section



Consumer Attorneys
Association of Los Angeles



Southern California
Defense Counsel



Association of
Business Trial Lawyers



California Employment
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.

◆ Los Angeles County Bar Association Litigation Section ◆

◆ Los Angeles County Bar Association
Labor and Employment Law Section ◆

◆ Consumer Attorneys Association of Los Angeles ◆

◆ Southern California Defense Counsel ◆

◆ Association of Business Trial Lawyers ◆

◆ California Employment Lawyers Association ◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION – EARLY ORGANIZATIONAL MEETING			

This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.

The parties agree that:

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, *to discuss and consider whether there can be agreement on the following:*
 - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
 - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
 - c. Exchange of names and contact information of witnesses;
 - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
 - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;
 - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
 - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:
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discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents, not privileged or protected from disclosure, on which such computation is based;
 - i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at www.lacourt.org under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to _____ for the complaint, and _____ for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation. A copy of the General Order can be found at www.lacourt.org under "Civil", click on "General Information", then click on "Voluntary Efficient Litigation Stipulations".
 3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
 4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR PLAINTIFF)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR DEFENDANT)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)
Date:	_____	>	_____
	(TYPE OR PRINT NAME)		(ATTORNEY FOR _____)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
STIPULATION – DISCOVERY RESOLUTION			CASE NUMBER:

This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.

The parties agree that:

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
 - a. The party requesting the Informal Discovery Conference will:
 - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
 - ii. Include a brief summary of the dispute and specify the relief requested; and
 - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
 - b. Any Answer to a Request for Informal Discovery Conference must:
 - i. Also be filed on the approved form (copy attached);
 - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:	CASE NUMBER:
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- iii. Be filed within two (2) court days of receipt of the Request; and
- iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
- c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
- d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
- e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.
4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.
5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.

It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).
6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

➤

(ATTORNEY FOR PLAINTIFF)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

Print

Save

Clear

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
INFORMAL DISCOVERY CONFERENCE (pursuant to the Discovery Resolution Stipulation of the parties)			CASE NUMBER:

1. This document relates to:

☐
☐

Request for Informal Discovery Conference
Answer to Request for Informal Discovery Conference

2. Deadline for Court to decide on Request: _____ (insert date 10 calendar days following filing of the Request).

3. Deadline for Court to hold Informal Discovery Conference: _____ (insert date 20 calendar days following filing of the Request).

4. For a Request for Informal Discovery Conference, **briefly** describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, **briefly** describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

--

INFORMAL DISCOVERY CONFERENCE

(pursuant to the Discovery Resolution Stipulation of the parties)

Print

Save

EXHIBIT A, p. 115 Clear

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION AND ORDER – MOTIONS IN LIMINE			

This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.

The parties agree that:

1. At least ____ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
 - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
 - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:

CASE NUMBER:

The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

➤

(ATTORNEY FOR PLAINTIFF)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

THE COURT SO ORDERS.

Date: _____

JUDICIAL OFFICER

Print

Save

Clear

FILED
LOS ANGELES SUPERIOR COURT

MAY 11 2011

JOHN A. CLARKE, CLERK
N. Navarro
BY NANCY NAVARRO, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

General Order Re	)	ORDER PURSUANT TO CCP 1054(a),
Use of Voluntary Efficient Litigation	)	EXTENDING TIME TO RESPOND BY
Stipulations	)	30 DAYS WHEN PARTIES AGREE
	)	TO EARLY ORGANIZATIONAL
	)	MEETING STIPULATION

Whereas the Los Angeles Superior Court and the Executive Committee of the Litigation Section of the Los Angeles County Bar Association have cooperated in drafting "Voluntary Efficient Litigation Stipulations" and in proposing the stipulations for use in general jurisdiction civil litigation in Los Angeles County;

Whereas the Los Angeles County Bar Association Litigation Section; the Los Angeles County Bar Association Labor and Employment Law Section; the Consumer Attorneys Association of Los Angeles; the Association of Southern California Defense Counsel; the Association of Business Trial Lawyers of Los Angeles; and the California Employment Lawyers Association all "endorse the goal of promoting efficiency in litigation, and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases;"

1 Whereas the Early Organizational Meeting Stipulation is intended to encourage
2 cooperation among the parties at an early stage in litigation in order to achieve
3 litigation efficiencies;

4 Whereas it is intended that use of the Early Organizational Meeting Stipulation
5 will promote economic case resolution and judicial efficiency;

6
7 Whereas, in order to promote a meaningful discussion of pleading issues at the
8 Early Organizational Meeting and potentially to reduce the need for motions to
9 challenge the pleadings, it is necessary to allow additional time to conduct the Early
10 Organizational Meeting before the time to respond to a complaint or cross complaint
11 has expired;

12
13 Whereas Code of Civil Procedure section 1054(a) allows a judge of the court in
14 which an action is pending to extend for not more than 30 days the time to respond to
15 a pleading "upon good cause shown";

16
17 Now, therefore, this Court hereby finds that there is good cause to extend for 30
18 days the time to respond to a complaint or to a cross complaint in any action in which
19 the parties have entered into the Early Organizational Meeting Stipulation. This finding
20 of good cause is based on the anticipated judicial efficiency and benefits of economic
21 case resolution that the Early Organizational Meeting Stipulation is intended to
22 promote.

23
24 IT IS HEREBY ORDERED that, in any case in which the parties have entered
25 into an Early Organizational Meeting Stipulation, the time for a defending party to
26 respond to a complaint or cross complaint shall be extended by the 30 days permitted
27
28

1 by Code of Civil Procedure section 1054(a) without further need of a specific court
2 order.

3
4 DATED: May 11, 2011

Carolyn B. Kuhl
Carolyn B. Kuhl, Supervising Judge of the
Civil Departments, Los Angeles Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JAMES HAWKINS APLC.; James R. Hawkins (#192925); Gregory Mauro (#222239) Michael Calvo (#314986); Lauren Falk (#316893); Ava Issary (#342252) 9880 Research Drive Suite 200 Irvine, CA 92816 TELEPHONE NO.: 949-387-7200 FAX NO. (Optional): 949-387-6676 ATTORNEY FOR (Name): David Yurevich JR		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk		
CASE NAME: David Yurevich Jr, individually and on behalf of all others similarly situated v. Interstate-Rim Management Company, LLC, a Delaware Limited Liability Company, et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: 22STCV07221
JUDGE: DEPT.:		

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	--

2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|---|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input checked="" type="checkbox"/> Large number of witnesses |
| b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): **6**
5. This case ☒ is ☐ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)
 Date: **02/28/2022**
 Gregory Mauro, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

22STCV07221

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1:

Step 2:

Step 3:

Applicable Reasons for Choosing Court Filing Location (Column C)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/ Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	0, 0, 0 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
Real Property	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

Local Rule 2.3

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above		
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6		
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5		
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2		
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8		
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8		
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3		
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8		
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8		
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8		
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8		
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9		
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8		
	Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8	
		Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8	
		Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment With Damages <input type="checkbox"/> A6123 Workplace Harassment With Damages <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case With Damages <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

Step 4: Statement of Reason and Address

REASON: <input checked="" type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS:		
CITY:	STATE:	ZIP CODE:			

Step 5: Certification of Assignment:

Central

Dated: 02/28/2022


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.



Service of Process Transmittal Summary

TO: Greg Moundas, Executive V.P. General Counsel
AIMBRIDGE HOSPITALITY LLC
5301 HEADQUARTERS DR
PLANO, TX 75024-6187

RE: Process Served in California

FOR: Aimbridge Hospitality, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: DAVID YUREVICH JR., individually and on behalf of all others similarly situated // To: Aimbridge Hospitality, LLC

CASE #: 22STCV07221

NATURE OF ACTION: Employee Litigation

PROCESS SERVED ON: C T Corporation System, GLENDALE, CA

DATE/METHOD OF SERVICE: By Process Server on 04/29/2022 at 01:32

JURISDICTION SERVED: California

ACTION ITEMS: CT will retain the current log
Image SOP
Email Notification, KAREN KOVACH karen.kovach@aimhosp.com
Email Notification, Laura Vesely laura.vesely@aimhosp.com
Email Notification, Nicole Graves nicole.graves@aimhosp.com
Email Notification, Matt Dreyfuss matthew.dreyfuss@aimhosp.com

REGISTERED AGENT CONTACT: C T Corporation System
330 N BRAND BLVD
STE 700
GLENDALE, CA 91203
866-665-5799
SouthTeam2@wolterskluwer.com

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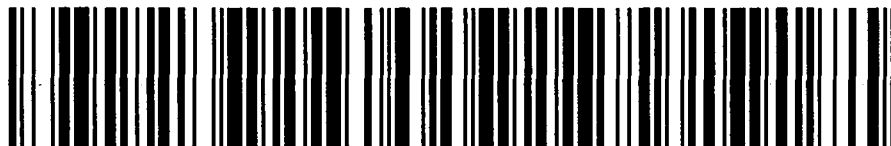


PROCESS SERVER DELIVERY DETAILS

Date: Fri, Apr 29, 2022
Server Name: Douglas Forrest

Entity Served	AIMBRIDGE HOSPITALITY, LLC
Case Number	22stcv07221
Jurisdiction	CA

Inserts		



SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO): Interstate-Rim Management Company, a Delaware Limited Liability Company operating at: Double Tree San Pedro; Interstate Hotels & Resorts, Inc.; Aimbridge Hospitality, LLC, a Delaware Liability Company; and DOES 1-50, inclusive,

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

DAVID YUREVICH JR., individually and on behalf of all others similarly situated

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Los Angeles Superior Court
111 North Hill St.
Los Angeles, CA 90012

CASE NUMBER: (Número del Caso):

22STCV07221

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

JAMES HAWKINS APLC, 9880 Research Drive, Suite 200 Irvine CA 92618; (949)387-7200

DATE:

(Fecha) 04/19/2022

Sherri R. Carter Executive Officer / Clerk of Court (Secretario)

Clerk, by

E. Thomas, Deputy (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): **Aimbridge Hospitality LLC a Delaware limited liability company**
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☒ other (specify): **LLC**
4. ☒ by personal delivery on (date)

Page 1 of 1

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Attorneys for Plaintiff DAVID YUREVICH JR.,
 Individually and on behalf of all others similarly situated.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

DAVID YUREVICH JR., individually and on
 behalf of all others similarly situated,

Plaintiff,

v.

INTERSTATE-RIM MANAGEMENT
 COMPANY, LLC, a Delaware Limited
 Liability Company operating at:
 DOUBLETREE SAN PEDRO; INTERSTATE
 HOTELS & RESORTS, INC.; AIMBRIDGE
 HOSPITALITY, LLC, a Delaware Limited
 Liability Company; and DOES 1-50, inclusive,

Defendants.

CASE NO.: 22STCV07221

**CLASS ACTION COMPLAINT
 PURSUANT TO CALIFORNIA CODE OF
 CIVIL PROCEDURE §382:**

1. Failure to Pay Wages Including Overtime as Required by Labor Code §§ 510 and 1194
2. Failure to Pay Timely Wages Required by Labor Code § 203
3. Failure to Provide Accurate Itemized Wage Statements as Required by Labor Code § 226
4. Failure to Accurately Record and Pay Sick Leave as Required by Labor Code § 246
5. Failure to Indemnify Necessary Business Expenses as Required by Labor Code § 2802
6. Violation of Business & Professions Code § 17200, et seq.

DEMAND FOR JURY TRIAL

1 Plaintiff DAVID YUREVICH JR. ("Plaintiff"), individually and on behalf of all others
2 similarly situated (hereinafter collectively referred to as the "Class" or "Class Member"), hereby
3 files this Complaint against Defendants INTERSTATE – RIM MANAGEMENT COMPANY,
4 LLC, a Delaware Limited Liability company operating at: DOUBLETREE SAN PEDRO;
5 INTERSTATE HOTELS & RESORTS, INC.; AIMBRIDGE HOSPITALITY, LLC, a Delaware
6 Limited Liability Company; and DOES 1-50, inclusive (collectively "Defendants") and alleges on
7 information and belief as follows:

8 **I. JURISDICTION AND VENUE**

9 1. This class action is brought pursuant to California Code of Civil Procedure §382.
10 The monetary damages and restitution sought by Plaintiff exceed the minimum jurisdiction limits
11 of the California Superior Court and will be established according to proof at trial.

12 2. This Court has jurisdiction over this action pursuant to the California Constitution
13 Article VI §10, which grants the California Superior Court original jurisdiction in all causes
14 except those given by statute to other courts. The statutes under which this action is brought do not
15 give jurisdiction to any other court.

16 3. This Court has jurisdiction over Defendants because, upon information and belief,
17 each Defendant either has sufficient minimum contacts in California, or otherwise intentionally
18 avails itself of the California market so as to render the exercise of jurisdiction over it by the
19 California Courts consistent with traditional notions of fair play and substantial justice.

20 4. The California Superior Court also has jurisdiction in this matter because the
21 individual claims of the members of the Classes herein are under the seventy-five thousand dollar
22 (\$75,000.00) jurisdictional threshold for Federal Court and the aggregate claim, including attorneys'
23 fees, is under the five million dollar (\$5,000,000.00) threshold of the Class Action Fairness Act of
24 2005. Further, there is no federal question at issue, as the issues herein are based solely on California
25 statutes and law, including the Labor Code, IWC Wage Orders, CCP, California Civil Code ("CC")
26 and B&PC.

27 5. Venue is proper in this Court because upon information and belief, one or more of
28 the Defendants, reside, transact business, or have offices in this County and/or the acts or

1 omissions alleged herein took place in this County.

2 **II. PARTIES**

3 6. Plaintiff DAVID YUREVICH JR. was, at all times relevant to this action, a
4 resident of California. Plaintiff was employed by Defendants in approximately February 2016 as a
5 Non-Exempt Employee with the title of Concierge and then Front Desk and worked during the
6 liability period for Defendants until Plaintiff's separation from Defendants' employ in
7 approximately June 2021. Plaintiff's duties included but were not limited to: providing customer
8 service and assistance to guests, checking guests in, offering suggestions for food, administrative
9 paperwork, cleaning rooms, and filling in where needed.

10 7. Defendants INTERSTATE – RIM MANAGEMENT COMPANY, LLC, a
11 Delaware Limited Liability company operating at: DOUBLETREE SAN PEDRO, INTERSTATE
12 HOTELS & RESORTS, INC.; and AIMBRIDGE HOSPITALITY, LLC, a Delaware Limited
13 Liability company, operates as a hotel and hospitality business. Plaintiff estimates there are in
14 excess of 100 Non-Exempt Employees who work or have worked for Defendants over the last
15 year.

16 8. Other than identified herein, Plaintiff is unaware of the true names, capacities,
17 relationships, and extent of participation in the conduct alleged herein, of the Defendants sued as
18 DOES 1 through 50, but is informed and believes and thereon alleges that said defendants are
19 legally responsible for the wrongful conduct alleged herein and therefore sues these defendants by
20 such fictitious names. Plaintiff will amend this complaint when their true names and capacities are
21 ascertained.

22 9. Plaintiff is informed and believes and thereon alleges that each defendant, directly
23 or indirectly, or through agents or other persons, employed Plaintiff and other members of the
24 Class, and exercised control over their wages, hours, and working conditions. Plaintiff is informed
25 and believes and thereon alleges that each Defendant acted in all respects pertinent to this action as
26 the agent of the other Defendants, carried out a joint scheme, business plan or policy in all respects
27 pertinent hereto, and the acts of each Defendant are legally attributable to the other defendants.

III. CLASS ACTION ALLEGATION

10. Plaintiff brings this action individually and on behalf of all others similarly situated as a class action pursuant to Code of Civil Procedure § 382. The members of the Class are defined as follows:

All persons who have been employed by Defendants as Non-Exempt Employees or equivalent positions, however titled, in the state of California within four (4) years from the filing of the Complaint in this action until its resolution. (collectively referred to as the "Class" or "Plaintiff's Class" or "Class Members").

11. Plaintiff also seeks to represent the subclass(es) composed of and defined as follows:

Sub-Class 1: All Class Members who are or were employed by Defendants at any time between February 2021 and the present and who received wage statements from Defendant (hereinafter collectively referred to as the "Wage Statement Subclass").

Sub-Class 2: All Class Members who have been employed by Defendants at any time between February 2019 and the present and have separated their employment (hereinafter collectively referred to as the "Waiting Time Penalty Subclass").

Sub-Class 3: All Class Members who are or were employed by Defendants and incurred business expenses as a result of the discharge of their duties (hereinafter collectively referred to as the "Reimbursement Subclass").

Sub-Class 4: All Class Members who are or were employed by Defendants and subject to Defendant's Unfair Business Practices (hereinafter collectively referred to as the "Unfair Business Practice Subclass").

12. Plaintiff reserves the right under California Rule of Court 3.765(b) and other applicable laws to amend or modify the class definition with respect to issues or in any other ways. Plaintiff is a member of the Class as well as each of the Sub-Classes.

13. The term "Class" includes Plaintiff and all members of the Class and each of the Sub-Classes, if applicable. Plaintiff seeks class-wide recovery based on the allegations set forth in this complaint.

14. There is a well-defined community of interest in the litigation and the proposed Class is easily ascertainable through the records Defendants are required to keep.

15. Numerosity. The members of the Class are so numerous that individual joinder of all of them as Plaintiff is impracticable. While the exact number of the Class members is unknown

1 to Plaintiff at this time, Plaintiff is informed and believes and thereon alleges that there are at least
2 100 (one hundred) Class members.

3 16. Commonality. Common questions of law and fact exist as to all Class members
4 and predominate over any questions that affect only individual members of the Class. These
5 common questions include, but are not limited to:

6 i. Whether Defendants failed to pay minimum wage compensation to Plaintiff
7 and Class Members for all hours worked;

8 ii. Whether Defendants failed to accurately pay overtime to Plaintiff and Class
9 Members;

10 iii. Whether Defendants failed to reimburse necessary business expense
11 pursuant to Labor Code § 2802;

12 iv. Whether Defendants provided accurate itemized wage statements pursuant
13 to Labor Code section 226;

14 v. Whether Defendants failed to pay sick time using the proper regular rate pursuant
15 to Labor Code section 246;

16 vi. Whether Defendants violated Business and Professions Code and Labor
17 Code §§ 201-203, 246, 510, 512, 558, 226, 226.3, 226.7, 246, 1174, 1174.5, 1175, 1194, 1197,
18 1197.1, 1198, 2802 and applicable IWC Wage Orders which violation constitutes a violation of
19 fundamental public policy; and

20 vii. Whether Plaintiff and the Members of the Plaintiff Class are entitled to
21 equitable relief pursuant to Business and Professions Code §§ 17200, *et. seq.*

22 viii. Whether Plaintiff and the Members of the Plaintiff Class are entitled to
23 relief in the form of back wages, penalties and interest for failure to pay minimum wages pursuant
24 to Labor Code §§ 558, 1194 and 1197.

25 17. Typicality. Plaintiff's claims herein alleged are typical of those claims which could
26 be alleged by any member of the Class and/or Subclass, and the relief sought is typical of the relief
27 which would be sought by each member of the Class and/or Subclass in separate actions. Plaintiff
28 and all members of the Class and or Subclass sustained injuries and damages arising out of and

1 caused by Defendants' common course of conduct in violation of California laws, regulations, and
2 statutes as alleged herein.

3 18. Adequacy. Plaintiff is qualified to, and will fairly and adequately protect the
4 interests of each member of the Class and/or Subclass with whom she has a well defined
5 community of interest and typicality of claims, as demonstrated herein. Plaintiff acknowledges an
6 obligation to make known to the Court any relationships, conflicts, or differences with any
7 member of the Class and/or Subclass. Plaintiff's attorneys and the proposed Counsel for the Class
8 and Subclass are versed in the rules governing class action discovery, certification, litigation, and
9 settlement and experienced in handling such matters. Other former and current employees of
10 Defendants may also serve as representatives of the Class and Subclass if needed.

11 19. Superiority. A class action is superior to other available means for the fair and
12 efficient adjudication of the claims of the Class and would be beneficial for the parties and the
13 court. Class action treatment will allow a large number of similarly situated persons to prosecute
14 their common claims in a single forum, simultaneously, efficiently, and without the unnecessary
15 duplication of effort and expense that numerous individual actions would require. The damages
16 suffered by each Class member are relatively small in the sense pertinent to class action analysis,
17 and the expense and burden of individual litigation would make it extremely difficult or
18 impossible for the individual Class Members to seek and obtain individual relief. A class action
19 will serve an important public interest by permitting such individuals to effectively pursue
20 recovery of the sums owed to them. Further, class litigation prevents the potential for inconsistent
21 or contradictory judgments raised by individual litigation.

22 20. Public Policy Considerations: Employers in the state of California violate
23 employment and labor laws every day. Current employees are often afraid to assert their rights out
24 of fear of direct or indirect retaliation. Former employees are fearful of bringing actions because
25 they believe their former employers may damage their future endeavors through negative
26 references and/or other means. The nature of this action allows for the protection of current and
27 former employees' rights without fear or retaliation or damage.

28

IV. FACTUAL ALLEGATIONS

21. At all times set forth herein, Defendants employed Plaintiff and other persons in the capacity of non-exempt positions, however titled, throughout the state of California.

22. Plaintiff is informed and believes Class Members have at all times pertinent hereto been Non-Exempt within the meaning of the California Labor Code and the implementing rules and regulations of the IWC California Wage Orders.

23. Defendants continue to employ Non-Exempt Employees, however titled, in California and implement a uniform set of policies and practices to all non-exempt employees, as they were all engaged in the generic job duties related to Defendants' hotel business.

24. Plaintiff is informed and believes, and thereon alleges, that Defendants are and were advised by skilled lawyers and other professionals, employees, and advisors with knowledge of the requirements of California's wage and employment laws.

25. Plaintiff is informed and believes that during the relevant time frame, all Class Members are citizens of the state of California.

26. On information and belief, during the relevant time frame, Plaintiff and Class Members frequently worked well over eight (8) hours in a day and forty (40) hours in a work week.

27. During the relevant time frame, Defendants compensated Plaintiff and Class Members based upon an hourly rate.

28. In addition, the Class Members frequently worked in excess of eight (8) hours a day and/or over forty (40) hours in a workweek, but were not properly paid for such time at the employee's correct rate of pay per hour for overtime.

29. Defendants also failed to properly calculate Plaintiff's and the Class Members' regular rate of pay including but not limited to by failing to include all forms of compensation/remuneration in the regular rate including but not limited to bonuses, incentives, commissions, training and orientation pay, shift differential pay, and other compensation for overtime calculation purposes.

1 30. In addition, upon information and belief, Plaintiff alleges that Defendants failed to
2 pay sick leave pay to Plaintiff and the Class Members at the proper rate, as Defendants failed to
3 factor all forms of compensation into the regular rate.

4 31. Plaintiff are informed and believe, and thereon alleges, that Defendants know,
5 should know, knew, and/or should have known that Plaintiff and the other Class Members were
6 entitled to receive premium wages based on their regular rate of pay under Labor Code §226.7 but
7 were not receiving such compensation.

8 32. On information and belief, Defendants also required Plaintiff and Class Members
9 to work off-the-clock. For instance, Plaintiff, and on information and belief Class Members, were
10 required to use their personal cell phone to communicate with the manager and general manager
11 via text message to discuss scheduling and other work-related issues. Defendants failed to include
12 off-the-clock work performed after Plaintiff and Class Members clocked out for the day. During
13 the relevant time frame, Plaintiff and Class Members were required to close the gate after clocking
14 out on a daily basis. Lastly, Defendants failed to include off-the-clock work performed by Plaintiff
15 and Class Members for the time spent cleaning the fingerprint scanner so they could accurately
16 clock-in. Often times, the fingerprint scanner used to clock-in would be dirty and fail to function
17 properly. Over time this resulted in an underpayment of minimum and overtime wages.

18 33. Defendants also failed to reimburse Plaintiff and Class Members for business
19 expenses incurred pursuant to Labor Code section 2802. For instance, Defendants did not
20 reimburse Plaintiff and Class Members for use of personal cellphones to carry out their work-
21 related duties while under the direction and control of Defendants. Plaintiff and on information
22 and belief Class Members, were required to use their personal cell phones to communicate with
23 Defendants' management. Plaintiff was forced to exchange text messages with the manager and/or
24 general manager regarding scheduling and other work related issues for approximately five to ten
25 minutes, approximately three (3) times per week. During work hours, every other day (daily
26 during COVID-19), Plaintiff would text message with his managers from approximately 5:00 p.m.
27 to 11:00 p.m. when he was left alone at the front desk. Although the front desk had a phone,
28 managers would choose to send text messages to Plaintiff's personal cell phone. Lastly, on a daily

1 basis, Plaintiff and on information and belief Class Members, would take pictures on their
2 personal cell phones of guests' rooms to assess damage or items left in the room. Defendants
3 failed to reimburse Plaintiff and Class Members for personal cell phone use.

4 34. Defendants failed to reimburse Plaintiff and Class Members for necessary business
5 expenses as it relates to the maintenance and upkeep of Defendants' uniforms pursuant to Labor
6 Code § 2802. Defendants required Plaintiff and Class Members to wear a suit as their work
7 uniform. Plaintiff was forced to purchase his suits, costing him at least \$300. Additionally,
8 Plaintiff and Class Members were responsible for the maintenance of their uniforms and were
9 required to keep them clean and in professional condition. As a result, Plaintiff and Class
10 Members would spend time regularly laundering and caring for their uniforms. However, despite
11 these realities, Defendants failed to reimburse Plaintiff and Class Members for expenses resulting
12 from maintaining their uniforms. Defendants promised Plaintiff that they would reimburse him for
13 costs relating to purchasing suits, but Defendants failed to do so. Further, Plaintiff and Class
14 Members were forced to purchase their own COVID-19 protective gear, such as masks.
15 Defendants failed to reimburse Plaintiff and Class Members for these necessary business
16 expenditures.

17 35. Defendants also failed to provide accurate, lawful itemized wage statements to
18 Plaintiff and the Class Members in part because of the above specified violations. In addition,
19 upon information and belief, Defendants omitted an accurate itemization of total hours worked,
20 including premiums due, overtime pay, gross pay and net pay figures from Plaintiff and the Class
21 Members' wage statements.

22 36. Plaintiff is informed and believes, and thereon alleges, that at all times herein
23 mentioned, Defendants knew that at the time of termination of employment (or within 72 hours
24 thereof for resignations without prior notice as the case may be) they had a duty to accurately
25 compensate Plaintiff and Class Members for all wages owed including minimum wages, meal and
26 rest period premiums, and that Defendants had the financial ability to pay such compensation, but
27 willfully, knowingly, recklessly, and/or intentionally failed to do so in part because of the above-
28 specified violations.

1 37. Upon information and belief, Defendants knew and or should have known that it is
2 improper to implement policies and commit unlawful acts such as:

- 3 (a) failing to pay overtime and minimum wages;
4 (b) failing to provide accurate itemized wage statements;
5 (c) failure to accurately pay sick pay;
6 (d) failing to timely pay Plaintiff and Class Members ;
7 (e) failure to reimburse business expenses; and
8 (f) conducting and engaging in unfair business practices.

9 38. In addition to the violations above, and on information and belief, Defendants knew
10 they had a duty to compensate Plaintiff and Class Members for the allegations asserted herein, and
11 that Defendants had the financial ability to pay such compensation, but willfully, knowingly,
12 recklessly, and/or intentionally failed to do so.

13 39. Plaintiff and Class Members they seek to represent are covered by, and Defendants
14 are required to comply with, applicable California Labor Codes, Industrial Welfare Commission
15 Occupational Wage Orders (hereinafter "IWC Wage Orders") and corresponding applicable
16 provisions of California Code of Regulations, Title 8, section 11000 *et seq.*

17 **FIRST CAUSE OF ACTION**

18 **FAILURE TO PAY WAGES INCLUDING OVERTIME**

19 **(Against All Defendants)**

20 40. Plaintiff incorporates and re-alleges each and every allegation contained above as
21 though fully set forth herein.

22 41. At all times relevant, the IWC wage orders applicable to Plaintiff's and the Class
23 require employers to pay its employees for each hour worked at least minimum wage. "Hours
24 worked" means the time during which an employee is subject to the control of an employer, and
25 includes all the time the employee is suffered or permitted to work, whether or not required to do
26 so, and in the case of an employee who is required to reside on the employment premises, that
27 time spent carrying out assigned duties shall be counted as hours worked.

28 42. At all relevant times, Labor Code §1197 provides that the minimum wage for

1 employees fixed by the IWC is the minimum wage to be paid to employees, and the payment of a
2 lesser wage than the established minimum is unlawful. Further, pursuant to the IWC Wage Order
3 and Labor Code, Plaintiff and Class Members are to be paid minimum wage for each hour
4 worked, and cannot be averaged. At all times relevant, the IWC wage orders applicable to Plaintiff
5 and Class Members' employment by Defendants provided that employees working for more than
6 eight (8) hours in a day or forty (40) hours in a work week are entitled to overtime compensation
7 at the rate of one and one-half times the regular rate of pay for all hours worked in excess of eight
8 (8) hours in a day or forty (40) hours in a work week. An employee who works more than twelve
9 (12) hours in a day is entitled to overtime compensation at a rate of twice the regular rate of pay.

10 43. At all relevant times, Labor Code §1197.1 states "[a]ny employer or other persons
11 acting individually as an officer, agent, or employee of another person, who pays or causes to be
12 paid to any employee a wage less than the minimum fixed by an applicable state or local law, or
13 by an order of the commission shall be subject to a civil penalty, restitution of wages, liquidated
14 damages payable to the employee, and any applicable penalties pursuant to Section 203.

15 44. Labor Code §510 codifies the right to overtime compensation at the rate of one and
16 one-half times the regular rate of pay for all hours worked in excess of eight (8) hours in a day or
17 forty (40) hours in a work week and to overtime compensation at twice the regular rate of pay for
18 hours worked in excess of twelve (12) hours in a day or in excess of eight (8) hours in a day on the
19 seventh day of work in a particular work week.

20 45. At all times relevant, Plaintiff and Class Members regularly performed non-exempt
21 work and thus were subject to the overtime requirements of the IWC Wage Orders, CCR § 11000,
22 et. seq. and the Labor Code.

23 46. At all times relevant, Plaintiff and Class Members consistently worked in excess of
24 eight (8) hours in a day and/or forty (40) hours in a week and Defendant's failed to accurately
25 calculate overtime pay to Plaintiff and Class Members.

26 47. At all times relevant, Plaintiff and Class Members consistently worked off-the-
27 clock, for duties performed while clocked-out, resulting in an inaccurate payment of minimum and
28 overtime wages to Plaintiff and Class Members.

49. At all times relevant, Defendants have failed to accurately pay minimum and overtime owed to Plaintiff and Class Members.

50. Accordingly, Defendants owe Plaintiff and Class Members minimum and overtime wages, and have failed to pay Plaintiff and Class Members their wages owed.

51. Pursuant to Labor Code §§ 510, 558 and 1194, Plaintiff and Class Members are entitled to recover their unpaid wages and overtime compensation, as well as interest, costs, and attorneys' fees.

SECOND CAUSE OF ACTION

FAILURE TO PAY TIMELY PAY WAGES

(Against All Defendants)

52. Plaintiff incorporates and re-alleges each and every allegation contained above as though fully set forth herein.

53. Labor Code §§201-202 requires an employer who discharges an employee to pay compensation due and owing to said employee immediately upon discharge and that if an employee voluntarily leaves his or her employment, his or her wages shall become due and payable not later than seventy-two (72) hours thereafter, unless the employee has given seventy-two (72) hours previous notice of his or her intention to quit, in which case the employee is entitled to his or her wages on their last day of work.

54. Labor Code §203 provides that if an employer willfully fails to pay compensation promptly upon discharge, as required by Labor Code §§201-202, the employer is liable for waiting time penalties in the form of continued compensation for up to thirty (30) work days.

55. During the relevant time period, Defendants willfully failed and refused, and continue to willfully fail and refuse, to pay Plaintiff and Class Members their wages, earned and unpaid, either at the time of discharge, or within seventy-two (72) hours of their voluntarily leaving Defendants' employ. These wages include regular and overtime.

56. As a result, Defendants are liable to Plaintiff and members of the Non-Exempt

1 Production Employee class for waiting time penalties pursuant to Labor Code §203, in an amount
2 according to proof at the time of trial.

3 **THIRD CAUSE OF ACTION**

4 **FAILURE TO PROVIDE ACCURATE ITEMIZED WAGE STATEMENTS**

5 **(Against All Defendants)**

6 57. Plaintiff incorporates and re-alleges each and every allegation contained above as
7 though fully set forth herein.

8 58. Section 226(a) states that An employer, semimonthly or at the time of each
9 payment of wages, shall furnish to his or her employee, either as a detachable part of the check,
10 draft, or voucher paying the employee's wages, or separately if wages are paid by personal check
11 or cash, an accurate itemized statement in writing showing (1) gross wages earned, (2) total hours
12 worked by the employee, except as provided in subdivision (j), (3) the number of piece-rate units
13 earned and any applicable piece rate if the employee is paid on a piece-rate basis, (4) all
14 deductions, provided that all deductions made on written orders of the employee may be
15 aggregated and shown as one item, (5) net wages earned, (6) the inclusive dates of the period for
16 which the employee is paid, (7) the name of the employee and only the last four digits of his or her
17 social security number or an employee identification number other than a social security number,
18 (8) the name and address of the legal entity that is the employer.

19 59. Section 226(a) of the California Labor Code requires Defendants to itemize in wage
20 statements all deductions from payment of wages and to accurately report total hours worked by
21 Plaintiff and the Class including applicable hourly rates among other things. Defendants have
22 knowingly and intentionally failed to comply with Labor Code section 226 and 204 on wage
23 statements that have been provided to Plaintiff and the Class.

24 60. IWC Wage Orders require Defendants to maintain time records showing, among
25 others, when the employee begins and ends each work period, meal periods, split shift intervals
26 and total daily hours worked in an itemized wage statement, and must show all deductions and
27 reimbursements from payment of wages, and accurately report total hours worked by Plaintiff and
28 the Class. On information and belief, Defendants have failed to record all or some of the items

1 delineated in Industrial Wage Orders and Labor Code §226.

2 61. Defendants have failed to accurately record all time worked.

3 62. Defendants have also failed to accurately record the meal and rest period premiums
4 owed and all wages owed per pay period.

5 63. Plaintiff and the Class have been injured as they were unable to determine whether
6 they had been paid correctly for all hours worked per pay period among other things.

7 64. Pursuant to Labor Code section 226, Plaintiff and the Class are entitled up to a
8 maximum of \$4,000 each for record keeping violations.

9 65. Pursuant to Labor Code section 226.3, any employer who violates subdivision (a)
10 of Section 226 shall be subject to a civil penalty in the amount of two hundred fifty dollars (\$250)
11 per employee per violation in an initial citation and one thousand dollars (\$1,000) per employee
12 for each violation in a subsequent citation, for which the employer fails to provide the employee a
13 wage deduction statement or fails to keep the records required in subdivision (a) of Section 226.

14 **FOURTH CAUSE OF ACTION**

15 **FAILURE TO ACCURATELY RECORD AND PAY SICK LEAVE**

16 **(Against All Defendants)**

17 66. Plaintiff incorporates and re-alleges each and every allegation contained above as
18 though fully set forth herein.

19 67. Labor Code Section 246(i) provides that: "an employer shall provide an employee
20 with written notice that sets forth the amount of paid sick leave available, or paid time off leave an
21 employer provides in lieu of sick leave, for use on either the employee's itemized wage statement
22 described in Section 226 or in a separate writing provided on the designated pay date with the
23 employee's payment of wages. If an employer provides unlimited paid sick leave or unlimited
24 paid time off to an employee, the employer may satisfy this section by indicating on the notice or
25 the employee's itemized wage statement 'unlimited.' The penalties described in this article for a
26 violation of this subdivision shall be in lieu of the penalties for a violation of Section 226."

27 68. Labor Code § 246 provides that the employer shall calculate paid sick leave by
28 using one of two calculations: (1) "Paid sick time for nonexempt employees shall be calculated in

1 the same manner as the regular rate of pay for the workweek in which the employee uses paid sick
2 time, whether or not the employee actually works overtime in that workweek;" or (2) "Paid sick
3 time for nonexempt employees shall be calculated by dividing the employee's total wages, not
4 including overtime premium pay, by the employee's total hours worked in the full pay periods of
5 the prior 90 days of employment."

6 69. Whenever Defendants paid Plaintiff and Class Members sick time pursuant to
7 California Labor Code § 246, Defendant did so at the incorrect rate of pay. Defendants paid
8 Plaintiff and the Class Members at the incorrect rate of pay and/or base hourly rate of pay, as
9 opposed to the regular rate of pay, which would take into account all night premiums and/or shift
10 differentials, or by dividing the employees' total wages, not including overtime premium pay, by
11 the employees' total hours worked in the full pay periods of the prior 90 days of employment, as
12 required by Labor Code § 246. This resulted in the employees being underpaid for sick time, and
13 resulted in violations of California Labor Code §§ 201, 202, and 203, and other derivative Labor
14 Code violations, because Defendant did not pay, or timely pay, Plaintiff and the unpaid wages for
15 work performed by them during their employment and at the end of their employment.

16 70. As a result of the unlawful acts of Defendant, Plaintiff and Class Members have
17 been deprived of sick pay in amounts to be determined at trial, and are entitled to the recovery of
18 such amounts, plus interest and penalties thereon, attorneys' fees, and costs.

19 **FIFTH CAUSE OF ACTION**

20 **FAILURE TO INDEMNIFY NECESSARY BUSINESS EXPENSES**

21 **(Against All Defendants)**

22 71. Plaintiff incorporates and re-alleges each and every allegation contained above as
23 though fully set forth herein.

24 72. Labor Code § 2802 requires Defendants to indemnify Plaintiff and Class Members
25 for necessary expenditures incurred in direct consequences of the discharge of his or her duties. As
26 a necessary part of employment, Plaintiff and on information and belief Class Members, were not
27 adequately reimbursed by Defendants for expenses related to all expenses incurred as a result of
28 their personal cellphone usage and personal funds usage as described above, which was incurred

1 as a direct consequence of the discharge of duties by Plaintiff and Class Members. Despite these
2 realities of the job, Defendants failed to provide reimbursements.

3 73. Labor Code §2804 states in pertinent part: "Any contract or agreement, express or
4 implied, made by any employee to waive the benefits of this article or any part thereof is null and
5 void, and this article shall not deprive any employee or his or her personal representative of any
6 right or remedy to which he is entitled under the laws of this State.

7 74. As a result of the unlawful acts of Defendants, Plaintiff and the Class Members
8 have been deprived of un-reimbursed expense amounts to be determined at trial, and are entitled to
9 the recovery of such amounts, plus interest and penalties thereon, attorneys' fees, and costs,
10 pursuant to Labor Code § 2802.

11 **SIXTH CAUSE OF ACTION**

12 **VIOLATION OF BUSINESS & PROFESSIONS CODE § 17200, et.seq.**

13 **(Against All Defendants)**

14 75. Plaintiff incorporates and re-alleges each and every allegation contained above as
15 though fully set forth herein.

16 76. Defendants' conduct, as alleged in this complaint, has been, and continues to be,
17 unfair, unlawful, and harmful to Plaintiff and Class Members, Defendants' competitors, and the
18 general public. Plaintiff seeks to enforce important rights affecting the public interest within the
19 meaning of the California Code of Civil Procedure §1021.5.

20 77. Defendants' policies, activities, and actions as alleged herein, are violations of
21 California law and constitute unlawful business acts and practices in violation of California
22 Business and Professions Code §§17200, et seq.

23 78. A violation of California Business and Professions Code §§17200, et seq., may be
24 predicated on the violation of any state or federal law. Defendants' policy of failing to accurately
25 pay overtime, failing to pay minimum wages, failing to reimburse expenses, failing to provide
26 accurate itemized wage statements and failing to accurately pay Plaintiff and Class Members sick
27 pay, violates Labor Code § 226, §246, §512, § 226.7, § 246, § 1194, § 2802, and applicable IWC
28 Wage Orders and California Code of Regulations.

1 79. Plaintiff and Class Members have been personally aggrieved by Defendants'
2 unlawful and unfair business acts and practices alleged herein by the loss of money and/or
3 property.

4 80. Pursuant to California Business and Professions Code §§17200, et seq., Plaintiff
5 and Class Members are entitled to restitution of the wages withheld and retained by Defendants
6 during a period that commences four (4) years prior to the filing of this complaint; an award of
7 attorneys' fees, interest; and an award of costs.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff prays for judgment against Defendants, as follows:

10 **Class Certification**

- 11 1. That this action be certified as a class action;
12 2. That Plaintiff be appointed as the representative of the Class;
13 3. That Plaintiff be appointed as the representative of the Subclass; and
14 4. That counsel for Plaintiff is appointed as counsel for the Class and Subclass.

15 **On the First Cause of Action**

- 16 1. For compensatory damages equal to the unpaid balance of minimum wage
17 compensation and overtime owed to Plaintiff and Class members as well as interest and costs;
18 2. For reasonable attorneys' fees and costs pursuant to Labor Code §§ 510, and 1194;
19 3. For liquidated damages in an amount equal to the wages unlawfully unpaid and
20 interest thereon pursuant to Labor Code §§ 1194.2, 558;
21 4. For such other and further relief as the Court deems proper.

22 **On the Second Cause of Action**

- 23 1. For statutory penalties pursuant to Labor Code §203;
24 2. For interest for wages untimely paid; and
25 3. For such other and further relief as the Court deems proper.

26 **On the Third Cause of Action**

- 27 1. For statutory penalties pursuant to Labor Code §226;
28 2. For interest for wages untimely paid;

3. For penalties pursuant to Labor Code §266.3; and
4. For such other and further relief as the Court deems proper.

On the Fourth Cause of Action

1. For unpaid sick leave;
2. For penalties pursuant to Labor Code § 203;
3. For interest;
4. For reasonable attorneys' fees and costs pursuant to statute; and
5. For such other and further relief as the Court deems proper

On the Fifth Cause of Action

1. For statutory penalties pursuant to Labor Code §2802;
2. For interest for wages untimely paid; and
3. For such other and further relief as the Court deems proper.

On the Sixth Cause of Action

1. That Defendants, jointly and/or severally, pay restitution of sums to Plaintiff and Class Members for their past failure to accurately pay overtime, failing to pay minimum wages, failing to reimburse expenses, failing to accurately pay sick leave, failing to provide accurate itemized wage statements;

2. For pre-judgment interest on any unpaid wages due from the day that such amounts were due;

3. For reasonable attorneys' fees that Plaintiff and Class Members are entitled to recover;

4. For costs of suit incurred herein; and

5. For such other and further relief as the Court deems proper.

DEMAND FOR JURY TRIAL

Plaintiff and members of the Class and Subclass request a jury trial in this matter.

Dated: February 28, 2022

JAMES HAWKINS APLC

By: 

JAMES R. HAWKINS, ESQ.

GREGORY MAURO, ESQ.

MICHAEL CALVO, ESQ.

LAUREN FALK, ESQ.

AVA ISSARY, ESQ.

Attorneys for Plaintiff DAVID YUREVICH
JR. individually and on behalf of all others
similarly situated.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	<small>Reserved for Clerk's File Stamp</small> FILED Superior Court of California County of Los Angeles 02/28/2022 <small>Sherri R. Carter, Executive Officer / Clerk of Court</small> By: <u>J. Covarrubias</u> Deputy
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012	
NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE	
Your case is assigned for all purposes to the judicial officer indicated below.	CASE NUMBER: 22STCV07221

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	Kenneth R. Freeman	14					

Given to the Plaintiff/Cross-Complainant/Attorney of Record Sherri R. Carter, Executive Officer / Clerk of Court
 on 03/01/2022 (Date) By J. Covarrubias, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

***Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

FILED
Superior Court of California
County of Los Angeles

MAY 03 2019

Sherri R. Carter, Executive Officer/Clerk

By Rizalinda Mina, Deputy
Rizalinda Mina

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

IN RE LOS ANGELES SUPERIOR COURT) FIRST AMENDED GENERAL ORDER
— MANDATORY ELECTRONIC FILING)
FOR CIVIL)
)
)
)
)

On December 3, 2018, the Los Angeles County Superior Court mandated electronic filing of all documents in Limited Civil cases by litigants represented by attorneys. On January 2, 2019, the Los Angeles County Superior Court mandated electronic filing of all documents filed in Non-Complex Unlimited Civil cases by litigants represented by attorneys. (California Rules of Court, rule 2.253(b).) All electronically filed documents in Limited and Non-Complex Unlimited cases are subject to the following:

1) DEFINITIONS

- a) **“Bookmark”** A bookmark is a PDF document navigational tool that allows the reader to quickly locate and navigate to a designated point of interest within a document.
- b) **“Efiling Portal”** The official court website includes a webpage, referred to as the efiling portal, that gives litigants access to the approved Electronic Filing Service Providers.
- c) **“Electronic Envelope”** A transaction through the electronic service provider for submission of documents to the Court for processing which may contain one or more PDF documents attached.
- d) **“Electronic Filing”** Electronic Filing (eFiling) is the electronic transmission to a Court of a document in electronic form. (California Rules of Court, rule 2.250(b)(7).)

- 1 e) **“Electronic Filing Service Provider”** An Electronic Filing Service Provider (EFSP) is a
2 person or entity that receives an electronic filing from a party for retransmission to the Court.
3 In the submission of filings, the EFSP does so on behalf of the electronic filer and not as an
4 agent of the Court. (California Rules of Court, rule 2.250(b)(8).)
- 5 f) **“Electronic Signature”** For purposes of these local rules and in conformity with Code of
6 Civil Procedure section 17, subdivision (b)(3), section 34, and section 1010.6, subdivision
7 (b)(2), Government Code section 68150, subdivision (g), and California Rules of Court, rule
8 2.257, the term “Electronic Signature” is generally defined as an electronic sound, symbol, or
9 process attached to or logically associated with an electronic record and executed or adopted
10 by a person with the intent to sign the electronic record.
- 11 g) **“Hyperlink”** An electronic link providing direct access from one distinctively marked place
12 in a hypertext or hypermedia document to another in the same or different document.
- 13 h) **“Portable Document Format”** A digital document format that preserves all fonts,
14 formatting, colors and graphics of the original source document, regardless of the application
15 platform used.

16 2) **MANDATORY ELECTRONIC FILING**

17 a) **Trial Court Records**

18 Pursuant to Government Code section 68150, trial court records may be created, maintained,
19 and preserved in electronic format. Any document that the Court receives electronically must
20 be clerically processed and must satisfy all legal filing requirements in order to be filed as an
21 official court record (California Rules of Court, rules 2.100, et seq. and 2.253(b)(6)).

22 b) **Represented Litigants**

23 Pursuant to California Rules of Court, rule 2.253(b), represented litigants are required to
24 electronically file documents with the Court through an approved EFSP.

25 c) **Public Notice**

26 The Court has issued a Public Notice with effective dates the Court required parties to
27 electronically file documents through one or more approved EFSPs. Public Notices containing
28 effective dates and the list of EFSPs are available on the Court’s website, at www.lacourt.org.

1 d) Documents in Related Cases

2 Documents in related cases must be electronically filed in the eFiling portal for that case type if
3 electronic filing has been implemented in that case type, regardless of whether the case has
4 been related to a Civil case.

5 3) EXEMPT LITIGANTS

6 a) Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt
7 from mandatory electronic filing requirements.

8 b) Pursuant to Code of Civil Procedure section 1010.6, subdivision (d)(3) and California Rules of
9 Court, rule 2.253(b)(4), any party may make application to the Court requesting to be excused
10 from filing documents electronically and be permitted to file documents by conventional
11 means if the party shows undue hardship or significant prejudice.

12 4) EXEMPT FILINGS

13 a) The following documents shall not be filed electronically:

- 14 i) Peremptory Challenges or Challenges for Cause of a Judicial Officer pursuant to Code of
15 Civil Procedure sections 170.6 or 170.3;
16 ii) Bonds/Undertaking documents;
17 iii) Trial and Evidentiary Hearing Exhibits
18 iv) Any ex parte application that is filed concurrently with a new complaint including those
19 that will be handled by a Writs and Receivers department in the Mosk courthouse; and
20 v) Documents submitted conditionally under seal. The actual motion or application shall be
21 electronically filed. A courtesy copy of the electronically filed motion or application to
22 submit documents conditionally under seal must be provided with the documents
23 submitted conditionally under seal.

24 b) Lodgments

25 Documents attached to a Notice of Lodgment shall be lodged and/or served conventionally in
26 paper form. The actual document entitled, "Notice of Lodgment," shall be filed electronically.

27 //

28 //

1 5) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

2 Electronic filing service providers must obtain and manage registration information for persons
3 and entities electronically filing with the court.

4 6) TECHNICAL REQUIREMENTS

5 a) Electronic documents must be electronically filed in PDF, text searchable format **when**
6 technologically feasible without impairment of the document's image.

7 b) The table of contents for any filing must be bookmarked.

8 c) Electronic documents, including but not limited to, declarations, proofs of service, and
9 exhibits, must be bookmarked within the document pursuant to California Rules of Court, rule
10 3.1110(f)(4). Electronic bookmarks must include links to the first page of each bookmarked
11 item (e.g. exhibits, declarations, deposition excerpts) and with bookmark titles that identify the
12 bookedmarked item and briefly describe the item.

13 d) Attachments to primary documents must be bookmarked. Examples include, but are not
14 limited to, the following:

15 i) Depositions;

16 ii) Declarations;

17 iii) Exhibits (including exhibits to declarations);

18 iv) Transcripts (including excerpts within transcripts);

19 v) Points and Authorities;

20 vi) Citations; and

21 vii) Supporting Briefs.

22 e) Use of hyperlinks within documents (including attachments and exhibits) is strongly
23 encouraged.

24 f) Accompanying Documents

25 Each document accompanying a single pleading must be electronically filed as a **separate**
26 digital PDF document.

27 g) Multiple Documents

28 Multiple documents relating to one case can be uploaded in one envelope transaction.

h) Writs and Abstracts

Writs and Abstracts must be submitted as a separate electronic envelope.

i) Sealed Documents

If and when a judicial officer orders documents to be filed under seal, those documents must be filed electronically (unless exempted under paragraph 4); the burden of accurately designating the documents as sealed at the time of electronic submission is the submitting party's responsibility.

j) Redaction

Pursuant to California Rules of Court, rule 1.201, it is the submitting party's responsibility to redact confidential information (such as using initials for names of minors, using the last four digits of a social security number, and using the year for date of birth) so that the information shall not be publicly displayed.

7) ELECTRONIC FILING SCHEDULE

a) Filed Date

i) Any document received electronically by the court between 12:00 am and 11:59:59 pm shall be deemed to have been effectively filed on that court day if accepted for filing. Any document received electronically on a non-court day, is deemed to have been effectively filed on the next court day if accepted. (California Rules of Court, rule 2.253(b)(6); Code Civ. Proc. § 1010.6(b)(3).)

ii) Notwithstanding any other provision of this order, if a digital document is not filed in due course because of: (1) an interruption in service; (2) a transmission error that is not the fault of the transmitter; or (3) a processing failure that occurs after receipt, the Court may order, either on its own motion or by noticed motion submitted with a declaration for Court consideration, that the document be deemed filed and/or that the document's filing date conform to the attempted transmission date.

8) EX PARTE APPLICATIONS

a) Ex parte applications and all documents in support thereof must be electronically filed no later than 10:00 a.m. the court day before the ex parte hearing.

b) Any written opposition to an ex parte application must be electronically filed by 8:30 a.m. the day of the ex parte hearing. A printed courtesy copy of any opposition to an ex parte application must be provided to the court the day of the ex parte hearing.

9) PRINTED COURTESY COPIES

a) For any filing electronically filed two or fewer days before the hearing, a courtesy copy must be delivered to the courtroom by 4:30 p.m. the same business day the document is efiled. If the efiled is submitted after 4:30 p.m., the courtesy copy must be delivered to the courtroom by 10:00 a.m. the next business day.

b) Regardless of the time of electronic filing, a printed courtesy copy (along with proof of electronic submission) is required for the following documents:

- i) Any printed document required pursuant to a Standing or General Order;
- ii) Pleadings and motions (including attachments such as declarations and exhibits) of 26 pages or more;
- iii) Pleadings and motions that include points and authorities;
- iv) Demurrers;
- v) Anti-SLAPP filings, pursuant to Code of Civil Procedure section 425.16;
- vi) Motions for Summary Judgment/Adjudication; and
- vii) Motions to Compel Further Discovery.

c) Nothing in this General Order precludes a Judicial Officer from requesting a courtesy copy of additional documents. Courtroom specific courtesy copy guidelines can be found at www.lacourt.org on the Civil webpage under "Courtroom Information."

10) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

a) Fees and costs associated with electronic filing must be waived for any litigant who has received a fee waiver. (California Rules of Court, rules 2.253(b)(1), 2.258(b), Code Civ. Proc. § 1010.6(d)(2).)

b) Fee waiver applications for waiver of court fees and costs pursuant to Code of Civil Procedure section 1010.6, subdivision (b)(6), and California Rules of Court, rule 2.252(f), may be electronically filed in any authorized action or proceeding.

11) SIGNATURES ON ELECTRONIC FILING

For purposes of this General Order, all electronic filings must be in compliance with California Rules of Court, rule 2.257. This General Order applies to documents filed within the Civil Division of the Los Angeles County Superior Court.

This First Amended General Order supersedes any previous order related to electronic filing, and is effective immediately, and is to remain in effect until otherwise ordered by the Civil Supervising Judge and/or Presiding Judge.

DATED: May 3, 2019



Kevin C. Brazile
KEVIN C. BRAZILE
Presiding Judge

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

March 14, 2022
2:00 PM

Judge: Honorable Kenneth R. Freeman
Judicial Assistant: B. Guerrero
Courtroom Assistant: C. Gomez

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Court Order Regarding Newly Filed Class Action;

By this order, the Court determines this case to be Complex according to Rule 3.400 of the California Rules of Court. The Clerk's Office has assigned this case to this department for all purposes.

Pursuant to Government Code Sections 70616(a) and 70616(b), a single complex fee of one thousand dollars (\$1,000.00) must be paid on behalf of all plaintiffs. For defendants, a complex fee of one thousand dollars (\$1,000.00) must be paid for each defendant, intervenor, respondent or adverse party, not to exceed, for each separate case number, a total of eighteen thousand dollars (\$18,000.00), collected from all defendants, intervenors, respondents, or adverse parties. All such fees are ordered to be paid to Los Angeles Superior Court, within ten (10) days of service of this order.

By this order, the Court stays the case, except for service of the Summons and Complaint. The stay continues at least until the Initial Status Conference. Initial Status Conference is set for 06/03/2022 at 10:00 AM in this department. At least ten (10) days prior to the Initial Status Conference, counsel for all parties must discuss the issues set forth in the Initial Status Conference Order issued this date. Counsel must file a Joint Initial Status Conference Response Statement five (5) court days before the Initial Status Conference.

The Initial Status Conference Order, served concurrently with this Minute Order, is to help the Court and the parties manage this complex case by developing an orderly schedule for briefing, discovery, and court hearings. The parties are informally encouraged to exchange documents and information as may be useful for case evaluation.

Responsive pleadings shall not be filed until further Order of the Court. Parties must file a Notice of Appearance in lieu of an Answer or other responsive pleading. The filing of a Notice of

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

March 14, 2022

**DAVID YUREVICH JR. vs INTERSTATE-RIM
MANAGEMENT COMPANY, LLC, et al.**

2:00 PM

Judge: Honorable Kenneth R. Freeman
Judicial Assistant: B. Guerrero
Courtroom Assistant: C. Gomez

CSR: None
ERM: None
Deputy Sheriff: None

Appearance shall not constitute a waiver of any substantive or procedural challenge to the Complaint. Nothing in this order stays the time for filing an Affidavit of Prejudice pursuant to Code of Civil Procedure Section 170.6. Nothing in this order stays the filing of an Amended Complaint pursuant to Labor Code Section 2699.3(a)(2)(C) by a plaintiff wishing to add a Private Attorney General Act ("PAGA") claim.

For information on electronic filing in the Complex Courts, please refer to <https://www.lacourt.org/division/efiling/efiling2.aspx#civil>. See, in particular, the link therein for "Complex Civil efilng." Parties shall file all documents in conformity with the Presiding Judge's First Amended General Order of May 3, 2019, particularly including the provisions therein requiring Bookmarking with links to primary documents and citations; that Order is available on the Court's website at the link shown above.

For efficiency in communication with counsel, the complex program requires the parties in every new case to use an approved third-party cloud service that provides an electronic message board. In order to facilitate communication with counsel prior to the Initial Status Conference, the parties must sign-up with the e-service provider at least ten (10) court days in advance of the Initial Status Conference and advise the Court which provider was selected.

The court has implemented LACourtConnect to allow attorneys, self-represented litigants and parties to make audio or video appearances in Los Angeles County courtrooms. LACourtConnect technology provides a secure, safe and convenient way to attend hearings remotely. A key element of the Court's Access LACourt YOUR WAY program to provide services and access to justice, LACourtConnect is intended to enhance social distancing and change the traditional in-person courtroom appearance model. See <https://my.lacourt.org/laccwelcome> for more information.

This Complex Courtroom does not use Los Angeles Superior Court's Court Reservation ("CRS") portal to reserve motion hearing dates. Rather, counsel may secure dates by calling the Courtroom Assistant at 213-310-70xx with the "xx" being the Department number, e.g. Dept. 1 is 01 and Dept. 10 is 10.

Court reporters are not provided for hearings or trials. The parties should make their own arrangements for any hearing where a transcript is desired.

If you believe a party or witness will need an interpreter, see the court's website for information on how to make such a request in a timely manner. <https://www.lacourt.org/irud/UI/index.aspx>

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 14

22STCV07221

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Judge: Honorable Kenneth R. Freeman
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CSR: None
ERM: None
Deputy Sheriff: None

Counsel are directed to access the following link for further information on procedures in the Complex litigation Program courtrooms: <https://www.lacourt.org/division/civil/CI0042.aspx>.

The plaintiff must serve a copy of this minute order and the attached Initial Status Conference Order on all parties forthwith and file a Proof of Service in this department within seven (7) days of service.

Certificate of Mailing is attached.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse. 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 03/14/2022
PLAINTIFF/PETITIONER: DAVID YUREVICH JR.		Sheri R. Carter, Executive Officer / Clerk of Court By: <u>B. Guerrero</u> Deputy
DEFENDANT/RESPONDENT: Interstate-Rim Management Company, LLC et al		
CERTIFICATE OF MAILING		CASE NUMBER: 22STCV07221

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Regarding Newly Filed Class Action;) of 03/14/2022, Initial Status Conference Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

James R. Hawkins
James Hawkins APLC
9880 Research Drive, Suite 200
Irvine, CA 92618

Sheri R. Carter, Executive Officer / Clerk of Court

Dated: 03/15/2022

By: B. Guerrero
Deputy Clerk

CERTIFICATE OF MAILING

EXHIBIT A, p. 161



Superior Court of California, County of Los Angeles

ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS-COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control (with the parties):** Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

Main Types of ADR

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

Mediation may be appropriate when the parties

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

Mediation may not be appropriate when the parties

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

How to Arrange Mediation in Los Angeles County

Mediation for civil cases is voluntary and parties may select any mediator they wish. Options include:

a. The Civil Mediation Vendor Resource List

If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Case Manager Elizabeth Sanchez, elizabeth@adrservices.com (949) 863-9800
- **JAMS, Inc.** Assistant Manager Reggie Joseph, RJoseph@jamsadr.com (310) 309-6209
- **Mediation Center of Los Angeles Program Manager** info@mediationLA.org (833) 476-9145

These organizations cannot accept every case and they may decline cases at their discretion. They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at www.lacourt.org/ADR.Res.List

NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate or small claims cases.

b. Los Angeles County Dispute Resolution Programs

<https://hrc.lacounty.gov/wp-content/uploads/2020/05/DRP-Fact-Sheet-23October19-Current-as-of-October-2019-1.pdf>

Day of trial mediation programs have been paused until further notice.

Online Dispute Resolution (ODR). Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case.

c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.

3. Arbitration: Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <http://www.courts.ca.gov/programs-adr.htm>

4. Mandatory Settlement Conferences (MSC): MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit <http://www.lacourt.org/division/civil/C10047.aspx>

Los Angeles Superior Court ADR website: <http://www.lacourt.org/division/civil/C10109.aspx>
For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAR 14 2022

Sherri R. Carter, Executive Officer/Clerk of Court
By: Berta Guerrero, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CENTRAL DISTRICT

DAVID YUREVICH JR

Plaintiff,

vs.

INTERSTATE-RIM MANAGEMENT
COMPANY, et al
Defendants.

Case No. 22STCV07221
INITIAL STATUS CONFERENCE ORDER
(COMPLEX LITIGATION PROGRAM)

Case Assigned for All Purposes to
Judge Kenneth R. Freeman

Department: 14
Date: June 3, 2022
Time: 10:00 a.m.

Due to the pandemic and the urgent need to avoid court appearances, the parties MUST sign up with an e- service provider at least ten court days in advance of the Initial Status Conference and advise the Court, via email to sscdept14@lacourt.org, which provider was selected.

This case has been assigned for all purposes to Judge Kenneth R. Freeman in the Complex Litigation Program. An Initial Status Conference is set for **June 3, 2022, at 10:00 a.m., in Department 14** located in the **Spring Street Courthouse**, at United States District Court, at 312 N. Spring Street, Los Angeles, California 90012. Counsel for all the parties are ordered to attend.

The Court orders counsel to prepare for the Initial Status Conference by identifying and discussing the central legal and factual issues in the case. Counsel for plaintiff is ordered to

1 initiate contact with counsel for defense to begin this process. Counsel then must negotiate and
2 agree, as possible, on a case management plan. To this end, counsel must file a Joint Initial Status
3 Conference Class Action Response Statement ten (10) court days (**June 3, 2022 and provide a**
4 **conformed courtesy copy DIRECTLY in Department 14)** before the Initial Status Conference.
5 The Joint Response Statement must be filed on line-numbered pleading paper and must
6 specifically answer each of the below-numbered questions. Do not the use the Judicial Council
7 Form CM-110 (Case Management Statement) for this purpose.
8

9 **1. PARTIES AND COUNSEL:** Please list all presently-named class representatives and
10 presently-named defendants, together with all counsel of record, including counsel's contact and
11 email information.

12 **2. POTENTIAL ADDITIONAL PARTIES:** Does any plaintiff presently intend to add
13 more class representatives? If so, and if known, by what date and by what name? Does any
14 plaintiff presently intend to name more defendants? If so, and if known, by what date and by what
15 name? Does any appearing defendant presently intend to file a cross-complaint? If so, who will
16 be named.
17

18 **3. IMPROPERLY NAMED DEFENDANT(S):** If the complaint names the wrong
19 person or entity, please explain.

20 **4. ADEQUACY OF PROPOSED CLASS REPRESENTATIVE(S):** If any party
21 believes one or more named plaintiffs might not be an adequate class representative, please
22 explain. No prejudice will attach to these responses.
23

24 **5. ESTIMATED CLASS SIZE:** Please discuss and indicate the estimated class size.

25 **6. OTHER ACTIONS WITH OVERLAPPING CLASS DEFINITIONS:** Please list
26 other cases with overlapping class definitions. Please identify the court, the short caption title, the
27 docket number, and the case status.
28

7. POTENTIALLY RELEVANT ARBITRATION AND/OR CLASS ACTION

WAIVER CLAUSES: Please include a sample of any clause of this sort. Opposing parties must summarize their views on this issue.

8. POTENTIAL EARLY CRUCIAL MOTIONS: Opposing counsel are to identify and describe the significant core issues in the case. Counsel then are to identify efficient ways to resolve those issues. The vehicles include:

- Early motions in limine,
- Early motions about particular jury instructions,
- Demurrers,
- Motions to strike,
- Motions for judgment on the pleadings, and
- Motions for summary judgment and summary adjudication.

9. CLASS CONTACT INFORMATION: Does plaintiff need class contact information from the defendant's records? If so, do the parties consent to an "opt-out" notice process (as approved in *Belaire-West Landscape, Inc. v. Superior Court* (2007) 149 Cal.App.4th 554, 561) to precede defense delivery of this information to plaintiff's counsel? If the parties agree on the notice process, who should pay for it? Should there be a third-party administrator?

10. PROTECTIVE ORDERS: Parties considering an order to protect confidential information from general disclosure should begin with the model protective orders found on the Los Angeles Superior Court Website under "Civil Tools for Litigators."

11. DISCOVERY: Please discuss discovery. Do the parties agree on a plan? If not, can the parties negotiate a compromise? At minimum, please summarize each side's views on discovery. The Court generally allows discovery on matters relevant to class certification, which (depending on circumstances) may include factual issues also touching the merits. The Court

generally does not permit extensive or expensive discovery relevant only to the merits (for example, detailed damages discovery) unless a persuasive showing establishes early need. If any party seeks discovery from absent class members, please estimate how many, and also state the kind of discovery you propose¹.

12. INSURANCE COVERAGE: Please state if there is insurance for indemnity or reimbursement.

13. ALTERNATIVE DISPUTE RESOLUTION: Please discuss ADR and state each party's position about it. If pertinent, how can the Court help identify the correct neutral and prepare the case for a successful settlement negotiation?

14. TIMELINE FOR CASE MANAGEMENT: Please recommend dates and times for the following:

- The next status conference,
- A schedule for alternative dispute resolution, if it is relevant,
- A filing deadline for the motion for class certification, and
- Filing deadlines and descriptions for other anticipated non-discovery motions.

15. ELECTRONIC SERVICE OF PAPERS: For efficiency the complex program requires the parties in every new case to use a third-party cloud service. While the parties are free to choose one of the services shown below, this Court (Department 14) prefers that the parties select:

- Case Anywhere (<http://www.caseanywhere.com>).

The parties are not required to select Case Anywhere, but may chose instead either

- File & Serve Xpress (<https://secure.fileandservexpress.com>) or

¹ See California Rule of Court, Rule 3.768.

1 ■ CaseHomePage (<http://www.casehomepage.com>).

2 Please agree on one and submit the parties' choice when filing the Joint Initial Status
3 Conference Class Action Response Statement. If there is agreement, please identify the vendor. If
4 parties cannot agree, the Court will select the vendor at the Initial Status Conference. Electronic
5 service is not the same as electronic filing. Only traditional methods of filing by physical delivery
6 of original papers or by fax filing are presently acceptable.

7 **Reminder When Seeking To Dismiss Or To Obtain Settlement Approval:**

8
9 "A dismissal of an entire class action, or of any party or cause of action in a class action,
10 requires Court approval . . . Requests for dismissal must be accompanied by a declaration setting
11 forth the facts on which the party relies. The declaration must clearly state whether consideration,
12 direct or indirect, is being given for the dismissal and must describe the consideration in detail."²
13 If the parties have settled the class action, that too will require judicial approval based on a noticed
14 motion (although it may be possible to shorten time by consent for good cause shown).

15
16 Pending further order of this Court, and except as otherwise provided in this Initial Status
17 Conference Order, these proceedings are stayed in their entirety. This stay shall preclude the filing
18 of any answer, demurrer, motion to strike, or motions challenging the jurisdiction of the Court.
19 However, any defendant may file a Notice of Appearance for purposes of identification of counsel
20 and preparation of a service list. The filing of such a Notice of Appearance shall be without
21 prejudice to any challenge to the jurisdiction of the Court, substantive or procedural challenges to
22 the Complaint, without prejudice to any affirmative defense, and without prejudice to the filing of
23 any cross-complaint in this action. This stay is issued to assist the Court and the parties in
24 managing this "complex" case through the development of an orderly schedule for briefing and
25

26
27 ² California Rule of Court, Rule 3.770(a)
28

1 hearings on procedural and substantive challenges to the complaint and other issues that may
2 assist in the orderly management of these cases. This stay shall not preclude the parties from
3 informally exchanging documents that may assist in their initial evaluation of the issues presented
4 in this case, however shall stay all outstanding discovery requests.

5 Plaintiff's counsel is directed to serve a copy of this Initial Status Conference Order on
6 counsel for all parties, or if counsel has not been identified, on all parties, within five (5) days of
7 service of this order. If any defendant has not been served in this action, service is to be completed
8 within twenty (20) days of the date of this order.
9

10 Dated: 3-14-2022

11
12 KENNETH R. FREEMAN

13 _____
14 Judge Kenneth R. Freeman
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28

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 03/14/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>B. Guerrero</u> Deputy
PLAINTIFF/PETITIONER: DAVID YUREVICH JR.		
DEFENDANT/RESPONDENT: Interstate-Rim Management Company, LLC et al		
CERTIFICATE OF MAILING		CASE NUMBER: 22STCV07221

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Court Order Regarding Newly Filed Class Action;) of 03/14/2022, Initial Status Conference Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

James R. Hawkins
James Hawkins APLC
9880 Research Drive, Suite 200
Irvine, CA 92618

Sherri R. Carter, Executive Officer / Clerk of Court

Dated: 03/15/2022

By: B. Guerrero
Deputy Clerk

VOLUNTARY EFFICIENT LITIGATION STIPULATIONS



Superior Court of California
County of Los Angeles



Los Angeles County
Bar Association
Litigation Section

Los Angeles County
Bar Association Labor and
Employment Law Section



Consumer Attorneys
Association of Los Angeles



Southern California
Defense Counsel



Association of
Business Trial Lawyers



California Employment
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.

◆ Los Angeles County Bar Association Litigation Section ◆

◆ Los Angeles County Bar Association
Labor and Employment Law Section ◆

◆ Consumer Attorneys Association of Los Angeles ◆

◆ Southern California Defense Counsel ◆

◆ Association of Business Trial Lawyers ◆

◆ California Employment Lawyers Association ◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION – EARLY ORGANIZATIONAL MEETING			

This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.

The parties agree that:

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, *to discuss and consider whether there can be agreement on the following:*
 - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
 - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
 - c. Exchange of names and contact information of witnesses;
 - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
 - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;
 - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
 - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:
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discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents, not privileged or protected from disclosure, on which such computation is based;
- i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at www.lacourt.org under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to _____ for the complaint, and _____ for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation. A copy of the General Order can be found at www.lacourt.org under "Civil", click on "General Information", then click on "Voluntary Efficient Litigation Stipulations".

(INSERT DATE)
(INSERT DATE)
3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR PLAINTIFF)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR DEFENDANT)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR DEFENDANT)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR DEFENDANT)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR _____)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR _____)
Date: _____ (TYPE OR PRINT NAME)	➤	_____ (ATTORNEY FOR _____)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION – DISCOVERY RESOLUTION			

This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.

The parties agree that:

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
 - a. The party requesting the Informal Discovery Conference will:
 - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
 - ii. Include a brief summary of the dispute and specify the relief requested; and
 - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
 - b. Any Answer to a Request for Informal Discovery Conference must:
 - i. Also be filed on the approved form (copy attached);
 - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:

CASE NUMBER:

- iii. Be filed within two (2) court days of receipt of the Request; and
 - iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
 - c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
 - d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
 - e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.
4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.
 5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.

It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).
 6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
 7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
 8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:

CASE NUMBER:

The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

➤

(ATTORNEY FOR PLAINTIFF)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR DEFENDANT)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

➤

(ATTORNEY FOR _____)

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NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
INFORMAL DISCOVERY CONFERENCE (pursuant to the Discovery Resolution Stipulation of the parties)			

1. This document relates to:

☐
☐

Request for Informal Discovery Conference
Answer to Request for Informal Discovery Conference

2. Deadline for Court to decide on Request: _____ (insert date 10 calendar days following filing of the Request).

3. Deadline for Court to hold Informal Discovery Conference: _____ (insert date 20 calendar days following filing of the Request).

4. For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

--

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			CASE NUMBER:
STIPULATION AND ORDER – MOTIONS IN LIMINE			

This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.

The parties agree that:

1. At least ____ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
 - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
 - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:

CASE NUMBER:

The following parties stipulate:

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)

>

(ATTORNEY FOR PLAINTIFF)

>

(ATTORNEY FOR DEFENDANT)

>

(ATTORNEY FOR DEFENDANT)

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(ATTORNEY FOR DEFENDANT)

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(ATTORNEY FOR _____)

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(ATTORNEY FOR _____)

>

(ATTORNEY FOR _____)

THE COURT SO ORDERS.

Date: _____

JUDICIAL OFFICER

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LOS ANGELES SUPERIOR COURT

MAY 11 2011

JOHN A. CLARKE, CLERK
N. Navarro
BY NANCY NAVARRO, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

General Order Re	)	ORDER PURSUANT TO CCP 1054(a),
Use of Voluntary Efficient Litigation	)	EXTENDING TIME TO RESPOND BY
Stipulations	)	30 DAYS WHEN PARTIES AGREE
	)	TO EARLY ORGANIZATIONAL
	)	MEETING STIPULATION

Whereas the Los Angeles Superior Court and the Executive Committee of the Litigation Section of the Los Angeles County Bar Association have cooperated in drafting "Voluntary Efficient Litigation Stipulations" and in proposing the stipulations for use in general jurisdiction civil litigation in Los Angeles County;

Whereas the Los Angeles County Bar Association Litigation Section; the Los Angeles County Bar Association Labor and Employment Law Section; the Consumer Attorneys Association of Los Angeles; the Association of Southern California Defense Counsel; the Association of Business Trial Lawyers of Los Angeles; and the California Employment Lawyers Association all "endorse the goal of promoting efficiency in litigation, and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases;"

1 Whereas the Early Organizational Meeting Stipulation is intended to encourage
2 cooperation among the parties at an early stage in litigation in order to achieve
3 litigation efficiencies;

4 Whereas it is intended that use of the Early Organizational Meeting Stipulation
5 will promote economic case resolution and judicial efficiency;

6
7 Whereas, in order to promote a meaningful discussion of pleading issues at the
8 Early Organizational Meeting and potentially to reduce the need for motions to
9 challenge the pleadings, it is necessary to allow additional time to conduct the Early
10 Organizational Meeting before the time to respond to a complaint or cross complaint
11 has expired;

12
13 Whereas Code of Civil Procedure section 1054(a) allows a judge of the court in
14 which an action is pending to extend for not more than 30 days the time to respond to
15 a pleading "upon good cause shown";

16 Now, therefore, this Court hereby finds that there is good cause to extend for 30
17 days the time to respond to a complaint or to a cross complaint in any action in which
18 the parties have entered into the Early Organizational Meeting Stipulation. This finding
19 of good cause is based on the anticipated judicial efficiency and benefits of economic
20 case resolution that the Early Organizational Meeting Stipulation is intended to
21 promote.
22

23
24 IT IS HEREBY ORDERED that, in any case in which the parties have entered
25 into an Early Organizational Meeting Stipulation, the time for a defending party to
26 respond to a complaint or cross complaint shall be extended by the 30 days permitted
27
28

1 by Code of Civil Procedure section 1054(a) without further need of a specific court
2 order.

3
4 DATED: May 11, 2011

Carolyn B. Kuhl
Carolyn B. Kuhl, Supervising Judge of the
Civil Departments, Los Angeles Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JAMES HAWKINS APLC.; James R. Hawkins (#192925); Gregory Mauro (#222239) Michael Calvo (#314986); Lauren Falk (#316893); Ava Issary (#342252) 9880 Research Drive Suite 200 Irvine, CA 92816		FOR COURT USE ONLY
TELEPHONE NO.: 949-387-7200 FAX NO. (Optional): 949-387-6676 ATTORNEY FOR (Name): David Yurevich JR		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk		
CASE NAME: David Yurevich Jr, individually and on behalf of all others similarly situated v. Interstate-Rim Management Company, LLC, a Delaware Limited Liability Company, et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000)		CASE NUMBER: <div style="font-size: 1.2em; font-weight: bold;">22STCV07221</div>
Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		
JUDGE: DEPT.:		

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	--

2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence	d. <input checked="" type="checkbox"/> Large number of witnesses e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. <input type="checkbox"/> Substantial postjudgment judicial supervision
--	---

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): 6

5. This case ☒ is ☐ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)
 Date: 02/28/2022
 Gregory Mauro, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

22STCV07221

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1:

Step 2:

Step 3:

Applicable Reasons for Choosing Court Filing Location (Column C)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

	A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	1, 11
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1, 4, 11
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

	A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	0, 0, 0 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

	A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
		<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment With Damages <input type="checkbox"/> A6123 Workplace Harassment With Damages <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case With Damages <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

SHORT TITLE: David Yurevich Jr v. Interstate-Rim Management Company, LLC, et al.

CASE NUMBER

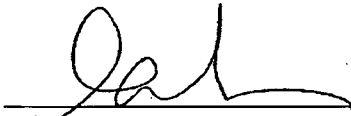
Step 4: Statement of Reason and Address

REASON: <input checked="" type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS:		
CITY:	STATE:	ZIP CODE:			

Step 5: Certification of Assignment:

Central

Dated: 02/28/2022


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.